UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.344
27 March 1998

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Seventeenth session

SUMMARY RECORD OF THE 344th MEETING

Held at Headquarters, New York,
on Monday, 14 July 1997, at 10.30 a.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial report of Armenia

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Office of Conference and Support Services, room DC2-750, 2 United Nations Plaza.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

97-81666 (E)

/...

The meeting was called to order at 10.40 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial report of Armenia (CEDAW/C/ARM/1 and Corr.1)

1. At the invitation of the Chairperson, Mr. Abelian and Mr. Avakian (Armenia) took places at the Committee table.

2. Mr. ABELIAN (Armenia) said that after gaining independence in 1991, Armenia had begun implementing fundamental economic and political reforms. As in the case of all the former Soviet republics, Armenia's economy had been strained by the changes that had followed the disintegration of the Union of Soviet Socialist Republics and the transition to a market economy, which had been made even more painful by over-reliance on trade with the other former Soviet States, the blockade of the main transportation routes, a severe energy crisis and the damage inflicted by the devastating earthquake of 1988. Armenia had therefore been greatly dependent on foreign humanitarian aid during the first years of independence. It was only over the past two years that the Government had been in a position to start implementing a policy of social and economic development and to focus on long-term social issues rather than everyday needs.

3. One of the main features of that process was the mainstreaming of a gender perspective into national development policy. Armenia had made a full commitment to the implementation of the Platform for Action of the Fourth World Conference on Women, as it had earlier to the Convention, to which it had acceded without reservations in 1993. Since becoming a member of the United Nations in March 1992, Armenia had acceded to a number of human rights instruments; it was now carrying out legal reforms to adjust its legislation to the standards embodied in those instruments. The adoption of the new Constitution in 1995 had been the most important step in that direction. The preparation of the initial report under article 18 of the Convention had been an important exercise in evaluating what had been done and what needed to be done. In that connection, he noted that the corrigendum in document CEDAW/C/ARM/1/Corr.1 was intended to replace paragraphs 34 to 99 of the original report in document CEDAW/C/ARM/1, and that paragraphs 1, 2, 5, 6, 7, 9, 12 and 13 of the original report remained valid.

4. Mr. AVAKIAN (Armenia) said that despite the difficulties resulting from the 1988 earthquake, the massive influx of refugees and the period of transition, Armenia had undertaken a series of political, economic and social reforms aimed at the establishment of a market economy and of a democratic society based on the rule of law. The legal status of women was defined in the 1995 Constitution. Women's rights were considered to be an integral part of human rights; the designations used in the Constitution were gender-neutral. While there was no chapter of the Constitution specifically devoted to the question of discrimination against women, several provisions, in particular articles 15, 16 and 32 (2), aimed to ensure, directly or indirectly, equality and equity between men and women. Women's constitutional rights were therefore in no way inferior

to those of men; at the practical level, however, some difficulties persisted. Under article 116, paragraph 2, of the Constitution, laws and other legal instruments of Armenia remained in force to the extent that they did not contravene the Constitution. Since independence, the appropriate bodies of Armenia had adopted many legislative texts and substantially modified laws and codes from the Soviet era, thereby considerably improving the legal status of women.

5. Many changes had been made to the Family and Marriage Code, which dated from 1969. Under article 1, the marriage contract was based on the free and full consent of the spouses. The spouses had equal personal and property rights. Each spouse had the right to use either or both of the spouses' surnames. The indication of the father's name in official documents, a legacy of the Soviet era, had been abolished. Children could use the surname of either parent. Divorce could be requested by either spouse, but the husband could not unilaterally request a divorce when the wife was pregnant or during the year following childbirth. From 1989 to 1994, there had been a 15 per cent divorce rate. Parents had equal rights and obligations towards their children; in the event of divorce, in the absence of agreement between the spouses, the court decided on the question of custody. Under article 5 of the Code, the family was under the protection and care of the State, which provided assistance, particularly in the form of allowances to single mothers and mothers with many children. Several special measures had been taken to enable women to combine motherhood and work, taking into consideration the health and interests of the mother and the child. Under articles 189 to 193 of the Labour Code, women received 70 days' paid leave before the birth of a child and were entitled to two years' maternity leave.

6. Many changes had been made to the Civil Code as well; a new draft Code had just been drawn up by Parliament and would be considered in September or October 1997. The Code guaranteed equal property rights to all nationals.

7. The Criminal Code envisaged penalties for forcing a woman to have sexual relations, forbidding a woman to get married, forcing a woman to obtain an abortion or refusing to hire a woman because she was pregnant. Under article 8 of the Code of Criminal Procedure and article 5 of the Code of Civil Procedure, women and men had equal rights in the civil and criminal courts.

8. Under article 3, paragraph 2, of the Law on Citizenship, citizens of Armenia were equal before the law irrespective of nationality and of the procedure by which citizenship had been acquired. Under article 6, the marriage of a woman who was a citizen of Armenia to an alien did not automatically change her citizenship, and vice versa. Children could have the nationality of either parent. Women did not require their husbands' permission in order to obtain a passport or travel abroad.

9. In 1991, Parliament had adopted a resolution on urgent measures for the protection of women, maternity and childhood and the strengthening of the family, under which women and mothers were granted supplementary rights in the areas of work and social security. The measures benefited single mothers, large families and elderly women, in particular. The Government had adopted a decision on monthly allowances for the unemployed and for mothers with children

under two years of age. The 1992 law on pensions also included provisions to assist mothers. A law of March 1996 on medical care provided that all persons, regardless of sex, were entitled to medical care. The entire legal system was currently being reformed and legal codes were being drawn up with the active participation of foreign experts, particularly from the Council of Europe.

10. Under article 6 of the Constitution, international treaties ratified by Armenia were an indivisible part of the country's legal system and took precedence over domestic laws. Armenia had acceded to a number of instruments which were directly or indirectly concerned with discrimination, including the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Discrimination in Education, the Equal Remuneration Convention, the Convention on the Nationality of Married Women, the Employment Policy Convention and the Discrimination (Employment and Occupation) Convention, and was considering acceding to the Convention on the Political Rights of Women. Armenia had also concluded many bilateral treaties with States in which there were Armenian nationals in order to regulate their legal status and social and labour rights, with no distinction as to sex.

11. Under article 29 of the Constitution, every citizen had the right to free choice of employment. Under article 83, women received the same wages as men for the same work and were entitled to equal advancement opportunities. Women worked in almost all areas of the labour market, although under the Labour Code they were barred from heavy manual labour or night work. As in other States undergoing economic crisis, some women were engaged in work which did not correspond to their initial field of specialization.

12. The number of women who were unemployed had increased from under 36,000 in 1992 to over 96,000 in 1996; the increase was linked with the socio-economic crisis. Women had accounted for 66 per cent of the total number of unemployed persons in 1995, with a slightly lower percentage in rural areas. The number of families with both spouses working was on the increase.

13. Women and men had equal rights to vote and to be elected to all public positions. The draft Electoral Code, which took into account recommendations by, among others, the Organization for Security and Cooperation in Europe, confirmed the equal rights of women at all levels. Although the participation of women in government was no longer subject to special quotas, there were still only a few women in government posts. The democratic elections held in 1995 had reduced the representation of women in Parliament to 12 out of a total of 190 deputies; a similar situation prevailed in municipal and regional councils. In the executive branch, women occupied only 5 to 7 per cent of high-level positions. There was currently one woman minister and three women deputy ministers. In the Ministry of Foreign Affairs, nearly 35 per cent of diplomats and 30 per cent of diplomatic personnel were women, and their numbers were increasing. As of 1996, 75 of the 336 lawyers licensed by the Ministry of Justice had been women, and 41 of the 72 notaries public in Armenia were women. Of the 94 judges appointed by the President of the Republic in 1996, 25 were women, and one of the nine judges of the Constitutional Court was a woman. Recently, a women's police unit had been put in charge of road traffic in Yerevan.

14. Since independence, non-governmental organizations had played an active role in nearly all spheres of political and public life.

15. The 1996 law on public organizations authorized all persons, without distinction, to found associations or non-governmental organizations, and stipulated that the State must protect the rights and interests of such organizations. Women made up the vast majority of members of non-governmental organizations. There were about 30 women's organizations in Armenia that promoted women's political, social and cultural rights.

16. Shamiram, the second largest political faction in Parliament, consisted wholly of women; eight of its members had been elected to the National Assembly. Its aims included the establishment of a women's employment information centre. To enhance women's active participation in society, the Armenian Women's Council had started a School for Women Leaders in 1994 to prepare girls and young women to hold positions of responsibility. Other non-governmental organizations sought to assist single mothers, mothers belonging to minority groups, female prisoners and orphans. Many periodicals and radio and television programmes dealt with the issue of women's advancement in professional life and the obstacles which they faced.

17. The Constitution stipulated that every citizen had the right to education and to access, on the basis of merit, to higher or vocational education free of charge in public institutions. Ninety eight per cent of the Armenian population was literate. Women enjoyed the same rights as men at all levels of education. In 1995, women had accounted for over half the workforce in the education sector and 54 per cent of all students in higher education. Currently, half the students in Armenia's State-licensed private educational institutions were women.

18. Despite women's active participation in education, further progress was being impeded by the insufficiency of the State budget earmarked for improving material conditions and staff salaries in educational establishments, and by the difficulties which new graduates encountered in attempting to enter the labour market. Both those factors could be traced to Armenia's economic problems.

19. The Constitution also established every citizen's right to health care. According to 1996 data, nearly 70 per cent of all doctors in Armenia were women. However, only 23 per cent of them occupied decision-making positions in the corresponding administration. Roughly half the 79 professional staff of the Ministry of Health were women. Moreover, 90 per cent of all university students in the health care field were women.

20. Reproductive health had only recently begun to receive attention in Armenia; the lack of family planning services was a serious problem. Abortion was legal only during the first 14 weeks of pregnancy. Official statistics from 1992 showed that the rate of known abortions was 405 per 1,000, or 1 for every 2.5 live births. Contraceptive use was gradually becoming more widespread; most pharmacies sold contraceptives, and information on their use was being publicized more widely.

21. The obstacles identified in the education sector also impeded progress in the health sector, but problems in the latter sector were mitigated by the existence of many sources of foreign financing, in the form of grants or investments. In addition, the privatization of part of the health care system might help to remedy those difficulties.

22. Since 1988, Armenia had had to deal with two waves of refugees: one from Azerbaijan and Nagorno-Karabakh and the other from the northern parts of the country affected by the earthquake. In 1993, refugees and displaced persons, 55 per cent of whom had been women, had made up 14 per cent of Armenia's population. Many studies had shown that refugee women lived in more difficult conditions than refugee men. Most of them had been settled in rural areas and were unaccustomed to rural life. The Government had launched a five-year national programme for the social and economic integration of refugees, and the most disadvantaged refugees were receiving assistance from international organizations.

23. With regard to rural women, under the Constitution, all citizens had the right to own land. There was no specific law concerning women working in agriculture. Social services in various parts of Armenia paid special attention to family problems and to improving the social situation of women. The Ministry of Health, in cooperation with the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO), was working to improve women's health conditions in rural areas. Under the 1991-1992 land privatization programme, land had been distributed without regard to gender considerations.

24. Currently, Armenia had no special institution for the protection of women's rights, but the issue was being addressed by many public institutions, including the Ministry of Social Affairs and the Centre for Democracy and Human Rights. In addition, departments of social affairs had been set up within a number of ministries and public agencies to ensure social protection for the population, especially women and children. The National Assembly's Committee on Health and Social Issues and the Government's Social Policy Department, both of which had been headed by women since 1996, also played an important role.

25. Based on the outcome of the Fourth World Conference on Women, the Ministry of Social Affairs had begun to prepare a document on the principal provisions relating to the improvement of the status of women in Armenia, with a view to setting State policy on the subject, achieving de facto equality between women and men and ensuring women's equal participation in economic, political, social and cultural life. Those goals would be achieved by guaranteeing women's participation in decision-making, creating conditions favourable to women's specialized training and education, helping to guarantee women's labour rights, helping rural women to overcome their difficulties and establishing appropriate mechanisms for the implementation and monitoring of international conventions.

26. Despite the serious problems which they had caused, the economic crisis and the liberalization process had created conditions favourable to women's economic independence. However, such independence was a long-term goal, since it required changes in attitudes among both women and men. Women must be further integrated into the development process as indispensable and equal participants.

International organizations could play an important role in that regard, inter alia through international conventions and their monitoring mechanisms.

27. Armenia's membership in various regional organizations, such as the Council of Europe, would also have positive effects. In particular, enabling individuals to bring alleged violations of the European Convention on Human Rights directly before the European Court of Human Rights would provide supplementary guarantees. Lastly, Armenia was currently preparing draft legislation on its civil service which included provisions specifically related to women's career advancement.

28. Ms. BERNARD said that the Armenian Government was to be commended for ratifying the Convention without reservations and for submitting its initial report so soon after achieving independence. Unfortunately, however, the overall position of women in Armenia had declined over the years, especially in terms of their representation in Parliament. Despite women's predominance in higher education, few women occupied high-income posts. The Constitution guaranteed equality between the sexes, but placed too much emphasis on protecting women's traditional role as mothers and caregivers. Little effort had been made to encourage women to participate more fully in development. Nonetheless, the Government had demonstrated the will to promote women's rights despite the many obstacles which it faced.

29. With respect to the statement in paragraph 21 of the initial report (CEDAW/C/ARM/1) that the Supreme Court must examine and approve all laws before they came into force, she wondered how that function was reconciled with the usual role of the judiciary in interpreting legislation.

30. Ms. FERRER said that it was disturbing to note that the majority of Armenia's population lived below the poverty line and that most unemployed persons, refugees and displaced persons were women. She wondered how women were specifically included in economic and social development programmes and whether any specific action for women had been taken in the context of poverty-reduction efforts. Despite the population's deeply rooted prejudices concerning the role of women and the decline in women's participation in many areas, Armenia had no national machinery for women's advancement. She asked whether the Government was considering the establishment of such machinery. She also asked whether the Ministry of Social Security, which addressed women's issues, had launched any specific programmes for the advancement of women. Lastly, she asked whether the Centre for Democracy and Human Rights was a government body and to what extent it worked specifically for women's rights.

31. Ms. ACAR said that Armenia was to be commended for ratifying the Convention despite all the hardships which it faced. However, in order to put the Convention into effect, other steps were needed. She wished to know whether the Convention had been translated into Armenian, to what extent its nature and concepts had been publicized and whether the issue of discrimination was a matter of public debate. Machinery for implementing the Convention was critical in the early stages following ratification and required Government efforts and political will.

32. With regard to article 3, she had been pleased to hear of ongoing efforts to review domestic legislation to make it compatible with international treaties, and wondered whether any such effort had been made concerning the Convention on the Elimination of All Forms of Discrimination against Women. She also asked what was being done to implement the Government's stated policy of mainstreaming a gender perspective.

33. Ms. GONZALEZ said that, despite the absence of national machinery for the advancement of women, the report mentioned that women's interests were represented by the Centre for Democracy and Human Rights within the Ministry of Foreign Affairs and by the Ministry of Social Affairs. She would welcome further information as to which institution would be responsible for the eventual establishment of national machinery for the advancement of women and whether any other government agencies or non-governmental organizations would be involved.

34. Ms. ESTRADA said that the cause of equal rights for women appeared to have lost ground in Armenia since independence. She requested more information on any plans, programmes or projects to guarantee equality between men and women. She wondered whether, in drafting the new Constitution, Parliament had considered including provisions that guaranteed equal rights for women. An explanation of the legal basis whereby children could take the surname of either parent would be useful. She asked whether women in Armenia could invoke the Convention directly when claiming a violation of their rights. More information was needed on plans or proposals to combat discrimination, for example through laws against domestic violence and sexual assault.

35. The Armenian Government should seize the opportunity to incorporate guarantees of women's rights into its new Constitution and legislation.

36. Ms. Yung Chung KIM asked whether the criminal courts had considered any cases of rape.

37. Ms. HARTONO asked why in a society with 98 per cent literacy rate, men far outnumbered women in decision-making positions and the majority of the population lived below the poverty line. She would like to hear more about the attitudes of educated women and any efforts which they might be making to change the double standard that existed in Armenia, and how they viewed the role of Armenian women in the twenty-first century and the changes that might be made in their traditional roles.

38. Ms. CARTWRIGHT requested more information on the relationship between the Convention and the Constitution. She wondered whether the notion of indirect discrimination was taken up in the Constitution and, if so, whether it reflected the definition of discrimination found in the Convention. Did the courts have the power to strike down practices which were in breach of international conventions, for instance, the restrictions on night work by women? She also wished to know how much access women had to the courts and whether there were any women lawyers' groups which could assist them in bringing action before the courts, including the Constitutional Court.

39. Ms. CORTI said that if the Government failed to take action to improve the status of women, it would be losing a valuable opportunity to make progressive reforms. She would like to hear more about the practical implications of Armenia's accession to international human rights instruments and how their provisions were reflected in its domestic law. More details were needed on the powers of the Centre for Democracy and Human Rights and the reasons for placing women's concerns under the Ministry of Social Affairs.

40. Lastly, it seemed to her that, while it was easy for the Government to maintain that women were the victims of traditional cultural attitudes and, moreover, that they were generally happy with their traditional role, that reflected a lack of political will to address discrimination against women.

41. Ms. Yung Chung KIM said that she found no evidence of special measures for the advancement of women, especially in view of women's low level of representation in decision-making positions. The need for such measures must be recognized and targets and time-frames set for achieving de facto equality as soon as possible.

42. Ms. BARE asked which inequalities the national programme of action referred to in paragraph 16 of document CEDAW/C/ARM/1/Corr.1 was intended to address, whether any benchmarks or time-frames existed for dealing with such inequalities and what technical and financial resources were being made available to do so. She also asked whether the Ministry of Social Affairs had the power to develop programmes and engage in advocacy on behalf of women and, if not, whether the Government intended to establish national machinery for that purpose.

43. Ms. ABAKA pointed to the apparent disparity between the high educational level of Armenian women and their low representation in decision-making and asked whether the Government had any plans to promote the advancement of women, redefine the roles of women and men and increase the participation of women in public life.

44. Ms. ACAR expressed concern at the report's undue emphasis on motherhood and its apparent perpetuation of gender stereotypes and asked whether any measures were being taken to combat such stereotyping in Armenian society. She requested information on violence, particularly domestic violence against women, measures to combat such violence and efforts to train police and health workers to recognize signs of such violence in victims. Lastly, she requested information on the current situation of women who had been detained or taken hostage in the context of the recent armed conflict in Armenia.

45. Ms. SHALEV, referring to the stereotypical images of women conveyed throughout the report, said that the Government also had an obligation to accelerate the evolution of cultural attitudes and to ensure that society adapted to the changes in women's roles. Governments should not raise obstacles to the advancement of women, as had apparently occurred in Armenia with the closing down of a newspaper that had disseminated information on women's rights and with the lowering of the marriage age. She joined in recommending the establishment of national machinery for the advancement of women, which would use the media and the education system proactively to change stereotypes of women in society. She asked what social realities or behaviours lay behind the

statistics given in paragraph 20 of the corrigendum to the report concerning the crime of forcing or forbidding a woman to marry, and requested information on domestic violence. The Government's silence on that score might reflect an unwillingness to acknowledge that the problem existed and she urged it actively to encourage an open discussion of domestic violence and to train police and health care professionals to recognize its signs and symptoms. Lastly, she requested information on violence against female refugees and on any treatment programmes available to victims of such violence.

46. Ms. FERRER echoed the concerns expressed at the numerous references in the report to stereotypical roles and images of women and pointed out that many of the roles assigned to women by society were not biologically determined and could be shared equally by men. She urged the Government to introduce programmes designed to change attitudes towards women, especially in view of the persistence, referred to in paragraph 49 of the original report, of a traditional "right" of men to physically punish women in the family. She asked whether there were any laws which dealt specifically with offences of that kind.

47. Ms. OUEDRAOGO, endorsing the concerns expressed at the gender stereotyping reflected in the report, expressed particular concern at forced and early marriages and asked for further information on the effects of such marriages on women's health. She also asked how much awareness there was of the need to combat gender stereotypes and what had been done to publicize the Convention, especially among younger women and girls. She urged the Government to accelerate gender mainstreaming in an effort to combat stereotypes, and emphasized the importance of strategic advocacy in that approach.

48. Ms. CARTWRIGHT noted that general recommendation No. 19 dealt with violence against women and requested States parties to submit reports on that issue. Experience suggested that the level of such violence was high in Armenia, given the intense social stresses caused by reduced living standards, high unemployment and the after-effects of the 1988 earthquake and the armed conflict. The report gave virtually no statistics on violence against women and no information on measures to combat it, and it did not indicate whether police and health professionals were being made more aware of the problem or whether shelters or other forms of protection were available to victims. While she would welcome any information that was currently available on the issue, she recommended that it should also be discussed in depth in Armenia's next report.

49. Ms. JAVATE DE DIOS said that the statistics on crimes of violence against women given in paragraph 20 of the corrigendum appeared to conceal a degree of under-reporting; she asked how those statistics had been collected. The absence of Government programmes for dealing with violence against women could itself have been a contributing factor, by discouraging women from reporting such crimes. She asked whether any support mechanisms for victims of violence were being contemplated and whether law enforcement officers were being trained to help women in that regard. She was puzzled by the reference in the same paragraph to forced or forbidden marriage and requested further information on that issue.

50. The CHAIRPERSON echoed the concerns expressed about the apparent stereotyping of women in the report. Education should be the most effective

means of eradicating such stereotypes, yet the Government seemed to be moving in the opposite direction by taking measures such as lowering the marriage age. Such action had the effect of discouraging women's participation in public life and reducing their access to paid employment. She asked for the views of non-governmental organizations operating in Armenia and whether Armenian women had been consulted regarding the Government's actions.

The meeting rose at 1 p.m.

UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.345
27 March 1998

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Seventeenth session

SUMMARY RECORD OF THE 345th MEETING

Held at Headquarters, New York,
on Monday, 14 July 1997, at 3 p.m.

Chairperson: Ms. BUSTELO GARCÍA DEL REAL
(Vice-Chairperson)

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial report of Armenia (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Office of Conference and Support Services, room DC2-750, 2 United Nations Plaza.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

/...

97-81672 (E)

In the absence of Ms. Khan, Ms. Bustelo García del Real, Vice-Chairperson, took the Chair.

The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial report of Armenia (continued) (CEDAW/C/ARM/1 and Corr.1)

1. At the invitation of the Chairperson, Mr. Abelian and Ms. Aghadjanian (Armenia) took places at the Committee table.

Article 6

2. Ms. BERNARD referring to paragraph 34 of the corrigendum to the report (CEDAW/C/ARM/1/Corr.1), inquired why prostitution was not considered a major problem and requested detailed statistics indicating the extent of prostitution in Armenia. She wished to know whether men who solicited prostitutes were punishable by law to the same degree as men who lived off prostitutes' earnings.

3. Mr. ABELIAN reminded the Committee that the information provided in paragraphs 34 to 99 of Armenia's initial report (CEDAW/C/ARM/1) was based on the Constitution of the Union of Soviet Socialist Republics, which had been superseded by the Armenian Constitution, and should be replaced by the information in the corrigendum to the report (CEDAW/C/ARM/1/Corr.1).

4. Ms. CASTILLO said that the Committee had the right to consider all the information provided, and her question pertained to both the original report and the corrigendum. There were surely better ways of combating prostitution than by penalizing prostitutes and owners of brothels; the imposition of penalties and prison sentences would not solve the problem. She wished to know whether there were any health care programmes for women engaged in prostitution, particularly programmes that included measures to protect women from sexually transmitted diseases. She asked whether there were any programmes to protect prostitutes and their children and any opportunities for prostitutes to be reintegrated into the country's workforce. It would also be of interest to know whether there were any plans to amend the Armenian Constitution with respect to women engaged in prostitution and traffic in women and girls, and whether the Government of Armenia was making any effort to eliminate stereotypes. She requested statistics on prostitution and traffic in women.

5. She inquired whether different legal standards were applied to prostitutes and their clients, and whether prostitutes' clients also paid fines. She wished to know whether prostitutes were victims of police violence and persecution and, if so, what measures were being taken to stop such practices. According to paragraph 54 of the uncorrected report, there were few cases of prostitutes being murdered and investigations of such cases were carried out in the same way as investigations of other murder cases; she wondered what that implied. She

requested the representatives of Armenia to comment on the stigmatizing of women engaged in prostitution.

6. Ms. JAVATE DE DIOS said that, while Armenia had acknowledged that there had been an increase in prostitution, the report did not provide any detailed information on that subject. In view of the economic crisis in Armenia, it was difficult to believe that there was no trafficking in women. The Government of Armenia should conduct research on prostitution and trafficking. According to paragraph 35 of the corrigendum to the report, there had been no reported cases of rape of prostitutes. She could not believe that no violence had been perpetrated against prostitutes. Since prostitutes were criminalized, she asked how a prostitute who had been raped was able to take her case before the courts and obtain justice.

7. Ms. GONZALEZ said that the Government of Armenia should provide comparative statistics that illustrated the extent to which prostitution had increased, indicating its current level.

Article 7

8. Ms. BERNARD wished to know what had accounted for the dramatic decrease in the number of women members of Parliament. She wished to know what measures were being taken to promote women's upward mobility and to encourage society to abandon the traditional belief that a woman's place was in the home. According to the report, women held mid-level positions in culture, science, education and health, and she wished to know whether any measures were being taken to promote their upward mobility.

Article 8

9. Ms. JAVATE DE DIOS requested information on the way in which Government and Foreign Service officials were recruited. In that regard, she inquired whether the same criteria were applied to both men and women, and whether diplomats or potential diplomats received training in human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women. She wished to know what was the role of the Foreign Service in preparing human rights reports, and whether there were any plans to mainstream women's issues in the human rights reporting process.

Article 9

10. Ms. GONZALEZ said that the information on citizenship provided in paragraph 43 of the corrigendum was somewhat confusing. The representatives of Armenia should explain under what circumstances a child remained without citizenship. Was it because the child's parents could not reach agreement or because the child had been born outside Armenia? Failure to provide a child with citizenship was a breach of the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights.

Article 10

11. Ms. BARE said that, in spite of their high level of education, Armenian women did not enjoy the same professional opportunities as their male counterparts, and she requested the representatives of Armenia to explain why that was the case. She wished to know whether women received any career guidance directing them to careers that provided better opportunities for upward mobility and, if that was not the case, what prevented women from obtaining executive positions.

12. Ms. FERRER asked what percentage of school-age girls were attending school on a regular basis. She inquired whether the statistics provided in the report had been taken from the total number of school-age children or the total number of students enrolled in education at those levels. She wished to know whether there had been a decrease in the number of young and teenage girls who currently participated in all levels of education. Paragraph 48 of the corrigendum stated that assistance to children from low-income and poor families was based on appeals by parents and by special decisions of the School Executive Committee, and she would welcome an explanation of how that system worked, especially in the light of the widespread poverty in Armenia. In particular, she asked whether Armenia's current economic difficulties had affected girls' access to assistance. According to the table at the bottom of page 12 of the corrigendum, the number of women graduates in the technical, agricultural and health fields had decreased dramatically between 1985 and 1994, and she requested an explanation for that decline. She wished to know what was taught at the special educational centres for women and why men did not have access to them.

13. Ms. HARTONO said that it would be of interest to learn whether female graduates in the field of health were primarily nurses, or whether that category also included doctors and other medical specialists. She requested statistics on the number of women professors at Armenian higher educational institutions. The statistics on female graduates did not include the fields of law or social sciences, and she asked why Armenian women seemed to have no interest in their national legal system. She noted that one out of nine judges in the Constitutional Court was a woman, and she asked whether that woman judge had practised law prior to her appointment or had been chosen on the basis of her political career. Information should be provided on the structure and mandate of the Constitutional Court and its relation to the two-tiered court mentioned in the report. Lastly, she wished to know whether the obstacles faced by women in obtaining positions as decision-makers were due to traditional or religious beliefs.

14. Ms. Yung Chung KIM said it was unclear whether female students had any prospects of pursuing specialized careers after completing their studies. There was a striking imbalance between the number of men and women teachers at the primary and secondary school levels, and she asked how Armenian society viewed that imbalance. Information should be provided on the number of women professors at Armenian universities.

15. Ms. BERNARD sought information about the incidence of HIV/AIDS among prostitutes and whether any facilities had been established to provide treatment for them.

Article 11

16. Ms. ACAR requested information about women in the informal sector, since informal commerce no doubt provided women with much-needed income and helped them support their families. While such activity enhanced the status of women, it also put women in a very vulnerable position, since informal commerce overlapped with prostitution and trafficking and resulted in new and different forms of female exploitation. In that connection, she wished to know whether the Government of Armenia had taken any measures to protect women employed in the informal sector, and what kind of social and family benefits were available to such women.

17. Ms. BARE said that she would appreciate information on any measures that the Government of Armenia had taken to offer alternative employment opportunities to unemployed women, and she inquired whether credit and information were provided in order to enable women to be gainfully employed and enhance their social status. She wondered why women's salaries were 25 per cent lower than those of men for comparable work, particularly as Armenia had signed a number of International Labour Organization (ILO) conventions, and she asked whether women were able to participate in trade-union activities with a view to improving their situation.

18. Ms. JAVATE DE DIOS said that, although Armenian women were highly educated and constituted a valuable human resource, they had not been absorbed into the labour market, and she wondered whether the Government of Armenia was planning to take any measures to address that situation. She wished to know why women were being pushed out of the labour market, and whether there were any plans to assist women with children, particularly women who were heads of households. She asked to what extent the Government was still able to implement its social security system, especially with regard to maternity leave, and, if it was unable to do so, what other safety nets were available to women. It would be of interest to know whether child care facilities in the workplace were legally required and, if so, to what extent that policy was being put into practice.

19. Noting that 50 per cent of young girls went abroad for their education, she asked what type of education they received abroad and why it was important for them to go abroad to study, since they had so few job prospects in Armenia. It seemed that Armenian society attached little importance to the role of men in bringing up children, and she encouraged the Government of Armenia to place more emphasis on the parental responsibility of men.

20. Ms. FERRER noted that paragraph 54 of the corrigendum to the report stated that employers could not refuse to hire or to fire women on the grounds of pregnancy or maternity (art. 197 of the Labour Code), whereas paragraph 18 of the same document stated that the employment of pregnant and nursing women in positions requiring hard manual labour and on night shifts was prohibited (arts. 184-187 of the Labour Code). She would welcome an explanation of that apparent contradiction in the provisions of the Labour Code.

21. With reference to the table on employment by spheres on page 13 of the corrigendum, it would be useful to know what percentage of the country's total labour force was represented by the figures provided. It would also be

interesting to learn who determined the types of jobs which women were forbidden to do and whether that determination was made in accordance with established legislative provisions or left up to the judgement of the employer. If such legislation was in force, she wondered whether women were free to engage in the occupations in question after their reproductive periods or if they decided not to have any more children.

22. Ms. Yung Chung KIM inquired whether the 70 days of paid maternity leave guaranteed by the Labour Code was in fact implemented and by whom. She wondered whether any thought had been given to the introduction of parental leave entitlements and whether the notion of both parents sharing responsibility for child rearing was gaining greater acceptance in Armenia. She understood that the Government had retained the social safety net inherited from the former Union of Soviet Socialist Republics and wondered how it was coping with the financial burden which that entailed, particularly in view of Armenia's current economic difficulties.

Article 12

23. Ms. SHALEV sought more information on the proposed reform of the health care system in Armenia and asked whether privatization was one aspect of the envisaged reform. Privatization would raise certain concerns for the Committee, since it usually led to a reduction in the level of health care services available to the needy. The reported 13.5 per cent of the national budget devoted to the health sector was very high, especially in view of the country's economic difficulties, and she wondered what that figure represented in terms of actual health services provided. Referring to paragraph 73 of the corrigendum, she commended the Ministry of Health for identifying four problem areas and said that it would be of interest to learn the level of resources allocated to those areas.

24. Abortion appeared to be used as a method of fertility control, which was unfortunate since it could result in infertility. A more effective method of fertility control would be to ensure that contraceptives were made available under family planning programmes or that their cost was reimbursable under health insurance schemes.

25. The report lacked adequate statistics on the health status of women. The Committee would welcome, in particular, gender-disaggregated data on HIV/AIDS and on the incidence of teenage pregnancies. It would also welcome more information on the access of rural women to health services and on the health services that were available to refugee women.

26. Ms. ABAKA sought more information on the types of contraceptives that were readily available to women in Armenia. In her view, there was a contradiction between the current restrictive abortion laws and the lack of access to adequate family planning services, including prenatal care. While the Government clearly had the political will to implement the provisions of article 12 of the Convention, it faced the reality of a severe economic crisis. Unfortunately, solutions to urgent health problems could not be postponed and ways must be found to improve the health conditions under which Armenian women lived.

27. She would appreciate additional information on the prevalence of work-related illnesses among women and on the incidence of drug addiction and alcoholism. The latter problem, in particular, might be exacerbated by the difficult economic times which Armenia was currently experiencing. In that connection, she wondered what effect the problems of the country as a whole were having on the mental health of Armenian women.

28. Lastly, she wished to reiterate the concern expressed by another expert at the proposed privatization of health services. Even in highly developed countries, privatization had resulted in reduced coverage for the most vulnerable sectors of society, including women.

Article 14

29. Ms. GONZALEZ noted that the report dealt with the question of rural women in Armenia in the general context of society's problems. The problems faced by rural women, however, particularly in the areas of employment, training and health services, were very serious and should have been addressed more specifically. She would welcome more information on the right of women to own land and to pass ownership on to their children. She also wished to know whether land owned by women had been included in the privatization programme referred to in paragraph 87 of the corrigendum to the report.

30. Ms. OUEDRAOGO asked whether rural women had played any role in drafting the legislation on improving the health of women in rural areas which was to be presented to the National Parliament.

Article 16

31. Ms. AOUIJ said that, despite the current economic and political difficulties which Armenia faced, the evident political will to address the country's problems and the high educational levels of the population were major assets in the struggle for development and equal treatment for women. The objective of development could be achieved, however, only if women were fully fledged participants in the process. It was an issue not simply of democracy but of social justice as well.

32. Noting that the forthcoming judicial reform would cover all legal codes except the Marriage Code and the Family Code, which were the subject of a parliamentary resolution, she asked what was the legal force of that resolution and whether the legislation in force viewed maternity as a social function for which men and women shared joint responsibility. She also wondered what roles had been played by women and non-governmental organizations in the review of existing laws. It was in the elaboration of laws that women had a valuable opportunity to voice their concerns and to have them included in the draft texts.

33. She would welcome information on what constituted grounds for divorce, the number of applications by women for divorce and the total number of divorces granted. She wondered whether women faced any practical obstacles when seeking a divorce through the courts and whether legal assistance was available to them. She also inquired whether legal services were available to refugee and displaced

women in Armenia and whether Armenian law or the national law of the refugee's State of origin applied in matrimonial affairs.

34. Lastly, she asked whether the Constitution provided for the establishment of political parties that were open only to persons of the same gender, since such a provision might have a negative impact on the number of women represented in other parties and might not be an appropriate solution to the problem of the under-representation of women at the highest decision-making levels.

The meeting rose at 4.30 p.m.

UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.346
27 March 1998

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Seventeenth session

SUMMARY RECORD OF THE 346th MEETING

Held at Headquarters, New York,
on Tuesday, 15 July 1997, at 10.30 a.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Second and third periodic reports of Italy

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Office of Conference and Support Services, room DC2-750, 2 United Nations Plaza.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

97-81678 (E)

The meeting was called to order at 10.45 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Second and third periodic reports of Italy (CEDAW/C/ITA/2 and CEDAW/C/ITA/3)

1. The CHAIRPERSON recalled that the Committee had agreed to consider the third periodic report of Italy on the basis of the original English text only.

2. At the invitation of the Chairperson, Ms. Finocchiaro, Ms. Giammarinaro, Ms. Ingrao and Ms. Sabbadini (Italy) took places at the Committee table.

3. Ms. FINOCCHIARO (Italy) said that her efforts as Italy's Minister for Equal Opportunities were based on the concepts of mainstreaming and empowerment, as defined at the Fourth World Conference on Women. The Italian Government's strategy for the application of those concepts was based on the idea that gender difference was not a disadvantage, but a great resource for societies. The determination of women themselves to seek freedom, independence and personal development was a factor for social change which had led to important achievements even in the absence of strong pressure from the women's movement. Consequently, Italian women had reached the highest levels in education and represented a growing proportion of the workforce, to which they brought managerial and interpersonal skills acquired in their role as caregivers.

4. However, women's changed perception of themselves was not enough to guarantee their equal access to economic resources, time, decision-making or even their own power of procreation. The Government had therefore adopted guidelines for action in the form of a Prime Minister's Directive which covered all levels of public administration and mandated all cabinet members to implement the Beijing Platform for Action. The Directive, which had been adopted in March 1997, identified which strategic objectives were particularly relevant for Italian women and indicated what specific government actions and legislative measures should be taken to achieve them.

5. Since the preparation of the third periodic report, Italy had made further progress in building a strong and stable economy. Welfare reform efforts, which were based on dialogue and negotiation with social partners, sought to expand opportunities for all citizens and to stimulate greater social mobility, with specific attention to women. The reform should help to alleviate problems such as women's unemployment, the gap between northern and southern Italy and the feminization of poverty. Since welfare reform policies should address social exclusion as well as economic conditions, the guidelines for mainstreaming a gender perspective into welfare reform also strongly emphasized local and community support and efforts to move beyond reliance on the "breadwinner". Women members of the Government were cooperating actively on those issues. Because of budgetary constraints, some of the innovations envisaged might be introduced experimentally at first, with a limited investment of resources.

6. The Italian Parliament had recently adopted a set of measures to reduce working hours, both by changing the legal limits and by providing incentives for further negotiated reductions. The aim was to create more jobs, giving priority to the hiring of young people in low-employment areas and of women who returned to work after at least two years of non-employment. Another initiative sought to create jobs in low-employment areas through local social dialogue procedures and community development, paying due attention to women's employment needs; women's response to such initiatives had been very encouraging. Special funding and credit lines were provided to young people in low-employment areas who wished to set up their own businesses. A media campaign to encourage women to establish their own businesses sought to convey the idea that women's management of their family and personal lives gave them valuable managerial skills and entrepreneurial creativity.

7. Although legislative and cultural changes in Italy had largely ensured that women enjoyed the right to decide freely on the number and spacing of their children, women's living and working conditions, as well as the myth that they must choose between family and career, tended to deprive them of access to their own power of procreation, as witnessed by the fact that Italy had one of the world's lowest birth rates. Women's disproportionate burden of caring responsibilities had thus far been redistributed only to other women (relatives or paid household workers). Although some men were beginning to perceive fatherhood as a responsibility that went beyond the traditional breadwinner model and to participate more actively in their children's upbringing, the distribution of caring responsibilities in Italian society was still unbalanced. The Government was therefore developing policies and measures to change the social and employment context in which choices concerning such responsibilities were made.

8. First of all, the Government was seeking to redistribute the burden of caring responsibilities between families and society through the establishment of child-care facilities and its National Plan for the Girl and Boy Child. Secondly, it was seeking to create a legal and social environment that encouraged redistribution of the burden between women and men, inter alia through new legislation on parental leave and measures related to flexibility of working hours. Such policies, which focused on urban areas, were known in Italy as "time management policies". Over 80 urban centres had already adopted policies of urban reorganization and coordinated planning of the opening hours of schools, workplaces, public services and other facilities, and the decision to give local authorities greater decision-making power in that area would expand the number of such initiatives. Time management was usually combined with policies to streamline public services. In some areas, citizens themselves (usually women) had organized "time banks" in which customers "deposited" the time which they wished to exchange, indicating the services which they were willing to perform during that time, and had the opportunity to "buy" services provided by other customers. The Government encouraged municipalities to support such initiatives or even to organize them directly.

9. In 1996, after a 20-year delay, the Italian Parliament had finally adopted a new law on sexual violence, as a result of a decision by female legislators to negotiate directly among themselves. On 4 July 1997, the Government had adopted a bill which would authorize civil and criminal judges to order the urgent

removal of batterers from the family home and to bar their access to places frequented by their victims. She trusted that, with the cooperation of women in Parliament, the bill would be speedily enacted into law.

10. At the insistence of women members of the Government, a mixed commission had been established to investigate allegations that Italian soldiers had committed acts of rape and torture during the 1993 peacekeeping mission in Somalia. The commission included members of the armed forces and civilians, both women and men. If even one of the allegations proved to be true, the Government would ensure that the crimes were not concealed or downplayed; that those responsible, regardless of their rank, were severely punished; and that solemn apologies were made to the women and men of Somalia.

11. Italian women had participated actively as peacemakers in the Middle East, the former Yugoslavia and Albania. Their experience provided valuable input for the design of future peacekeeping missions, pointing to the need to accord a greater role to the civilian component and to ensure increased cooperation with local and national civic movements. Women's entry into the Italian armed forces afforded an opportunity to redefine the role of the armed forces in a global context in which the spread of intra-State conflicts increasingly demanded conflict-resolution and interposing skills rather than the strict use of force.

12. The legal barriers to women's participation in politics had fallen long ago, yet that was the sector in which gender inequality was greatest. Unless that situation was reversed, it would be impossible to achieve real social innovation and dynamic growth. Empowerment policies were critical to making changes in the gender balance in government; in that context, stronger bonds with other women in Europe were of great importance.

13. In Italy, social and political innovation had often started with municipalities and local communities. Municipalities had been the first institutions to win back public confidence after the shock of corruption cases. A new generation of men and women were at work in their communities, reforming and reorganizing local services and striving to achieve urban sustainability and civic coexistence, thereby developing a new sense of identity, solidarity and participation. Women were playing a key role in that process.

14. Some of the most active women mayors were in southern Italy, even in areas where municipalities were in the forefront of the struggle against organized crime. "Empowerment" was a term which women in the affluent north had learnt from the demands and experience of women in the south. Italy's mainstreaming policies were attempting to cut across the whole spectrum of government policy. Italian women had achieved formal equality, but not de facto equality, including full acknowledgement and valuing of gender differences, but empowerment was introducing far-reaching changes into government practice, particularly in terms of the Government's direct relationship with the women's movement. Feminism and the women's movement had already profoundly transformed Italian culture, and any advance could only be based on the empowerment of women.

15. The CHAIRPERSON invited the representatives of Italy to respond to questions in the report of the pre-session working group

(CEDAW/C/1997/II/CRP.1/Add.4) which had not been answered in the introductory statement.

Article 1

16. Ms. GIAMMARINARO (Italy) referring to cases of gender discrimination which had been taken up by the equality counsellors, said that the equality counsellors had experienced considerable difficulties, partly as a result of lack of funds. Nevertheless, the national, regional and provincial equality counsellors had considered many cases of collective discrimination. One case had concerned the Istituto Mobiliare Italiano, one of Italy's largest banks, in which female workers had filed a complaint about the lack of women in senior posts. There had been numerous complaints from women in banking, particularly part-time workers. A round table had been established by the national equality counsellor to try to remove the discriminatory rules contained in collective contracts. Another problem had been raised about height requirements in the State railway system. Special attention was being paid to job advertising in newspapers, which was often addressed exclusively to men; the national equality counsellor was promoting a class action suit on that issue.

17. On the question of whether the Italian Constitution specifically integrated the issue of gender equality, she said that, as explained in the third periodic report (CEDAW/C/ITA/3), article 3 of the Constitution incorporated the principles of formal and de facto gender equality and non-discrimination. At the same time, the Constitution incorporated the principle of protection of women by according mothers significant maternity rights.

Article 3

18. Ms. INGRAO (Italy) said that the functions and capacities of the National Commission on Equality and Equal Opportunities were covered in the second periodic report (CEDAW/C/ITA/2). Since that report, the Commission had prepared a number of publications on various issues affecting women and had contributed to the debate on topical issues. It had also been active in peace initiatives and in discussions on the role of women in the armed forces. It had participated actively in the Fourth World Conference on Women, preparing the Italian report and organizing follow-up meetings. During Italy's Presidency of the European Union, the Commission had sponsored a number of activities, including a conference on women's participation in decision-making. The Commission was now focusing its efforts on achieving greater coordination among regional and local equal opportunity bodies.

19. On the question of racism and xenophobia against immigrants from countries outside the European Union, the Government believed that the primary way to combat discrimination, racism and xenophobia was through concrete action to integrate immigrants. A comprehensive draft organic law on the rights of immigrants was currently being considered in Parliament; it included specific measures for the protection of foreign victims of violence or illegal exploitation and measures to ensure the right of foreigners to health care, including women's health care. Under the draft law, discrimination on racial, ethnic, national or religious grounds was specifically prohibited. To make the anti-discrimination laws more effective, a special safeguard suit for civil

action against discrimination had been provided which was more expeditious than normal civil suits and could give rise to compensation. Protection against trafficking in women was ensured regardless of residence status; temporary residence permits could be provided to victims of trafficking.

20. Her Government felt that the most important area of non-discrimination was education. Teachers were actively involved in anti-racist campaigns. The Ministry of Education had issued instructions about multicultural education and the integration of immigrant children into schools. The right to education was ensured regardless of residence status. There was still a problem with the textbooks used in schools, since they tended to be Eurocentric and did not promote integration and understanding of other cultures. Other problems which affected the integration of immigrant children included lack of support for teachers and a shortage of language teachers. Efforts were also being made in the area of adult education.

21. The draft legislation on electoral and institutional reform was described in the third periodic report (CEDAW/C/ITA/3).

Article 4

22. Ms. GIAMMARINARO (Italy), referring to the investigation of the implementation of the Positive Action Act carried out by the Labour Committee of the Senate, said that the Labour Committee's concluding report had identified the main problems as being inadequate funding, instruments and institutions for implementing the Act. There had been a sharp decrease in affirmative action projects and most of them were being implemented in central and northern Italy rather than southern Italy. Most projects were concerned with vocational training and refresher training and seldom led to the creation of new jobs or influenced the organization of labour. Although the Positive Action Act had been formulated in the 1980s, it had not come into effect until 1991, by which time the economic situation had changed dramatically. The Government was now committed to reviewing affirmative action and equal opportunities legislation with a view to overcoming discrimination effectively.

Article 5

23. The Government's commitment to combating domestic violence was embodied in the bill recently approved by the Council of Ministers. That innovative legislation had been prepared in response to requests from women's associations, which ran the great majority of shelters for battered women in Italy. It allowed the victims of domestic violence to file civil suits against their abusers, or to have recourse to the criminal courts in more serious cases. Judges could issue removal or restraining orders to protect women from further victimization, as well as order support payments in cases of separation.

24. Ms. SABBADINI (Italy) said that the Equal Opportunities Committee of the Ministry of Education had been working to overcome gender-based stereotypes by providing support and refresher courses for teachers. Greater emphasis was being placed on sex education for both boys and girls, in order to increase awareness of personal characteristics and attitudes without socio-cultural conditioning. The Office of the Minister for Equal Opportunities also intended

to promote educational activities to counter gender stereotyping in the use of new technology, in which, for instance, far fewer girls than boys had access to computers at home; a joint programme to foster computer literacy in education had also been launched by the Ministry for Cultural Heritage and the Ministry of Education.

25. Italy had done very little to provide gender-sensitivity training to public officials; until recently, such training had been largely limited to sectors in which female officials were required to deal with women as part of their job. A programme of specific initiatives was to be submitted to the Minister of the Interior and could become a pilot project for training specific categories of public officials.

26. Ms. INGARO (Italy) said that the proportion of family farms and agricultural enterprises headed by women had increased to 37.8 per cent, reflecting the emergence of a new role for rural women.

Article 6

27. Prostitution in itself was not illegal in Italy, but a number of related activities were. Several bills had been introduced in Parliament aimed at changing current legislation in that regard, but the Government itself had no intention of drafting new legislation. A committee of the Chamber of Deputies had recently adopted extensive draft legislation on child prostitution and pornography, covering crimes committed in Italy and by Italian citizens abroad. The Office of the Minister for Equal Opportunities was also promoting a new, more detailed study on trafficking in women.

Article 7

28. Ms. SABBADINI (Italy) said that the overall percentage of women in leadership positions in labour unions and professional associations was rather low although it was somewhat higher at the national level for most organizations. Of the 107,000 companies that belonged to the Italian national industrial confederation, 6 per cent were owned or run by women.

Article 8

29. Ms. INGRAO (Italy) said that recruitment for the Italian foreign service was by public examination, with the same qualifications required of men and women; currently, there were no women ambassadors.

Article 9

30. She confirmed that the Law on Nationality incorporated all the rights encompassed in article 9 of the Convention.

Article 10

31. The third periodic report mentioned "socially useful work" and "highly skilled career paths for women" (para. 131) as two quite separate tools for job creation. "Socially useful work" involved activities considered useful for

community development and encompassed a range of cultural heritage, environmental protection and care-giving activities; access to such employment had recently been extended to young people in low-employment areas.

32. Ms. GIAMMARINARO (Italy) said that school textbooks were a sensitive issue because of the undervalued images of women which they conveyed. Women were hardly mentioned in history and literature textbooks, and other textbooks were replete with traditional stereotypes. It was difficult to influence the choices of textbook editors in that regard and much work remained to be done.

Article 11

33. Ms. INGRAO (Italy) said that the 1977 Parity Act was based on both the principle of equal pay for equal work and the principle of equal pay for work of equal value.

34. Special measures to protect women from the abuses of the unregistered labour market were being taken in the context of the gradual overall regulation of companies and industries in that sector, many of which employed largely female labour forces. Such measures restored workers' access to the protections afforded by social security, wage and tax regulations.

35. Access to middle- and upper-level jobs in the public sector was based on competitive examinations; for lower-level jobs, it depended on the applicant's position on placement lists. Private-sector hiring had been largely deregulated, although a percentage of jobs had to be reserved for the long-term unemployed, laid-off workers and other disadvantaged groups. The Government was also beginning to regulate the temporary labour market, in order to ensure that equal employment opportunities were offered there as well.

36. Ms. FINOCCHIARO (Italy) said that even after mitigating factors were taken into account, a 13 per cent differential existed between men's and women's wages. Current wage structures favoured men over women because women's family and other obligations outside the workplace prevented them from working overtime to accommodate production needs. A renegotiation of labour contracts was needed in which the contributions that women were able to make would be valued more highly.

37. The average pension received by women was lower than men's because women generally had fewer years of contributory service, owing to career interruptions. Making the mandatory retirement age lower for women was the only way in which the State compensated women for their care-giving activities: earlier access to pension benefits was a form of financial repayment for their years of unpaid work.

38. Ms. INGRAO (Italy) said that women enjoyed special protection in the workplace during pregnancy. Employers could not assign them to duties involving risk factors such as exposure to hazardous substances or heavy lifting.

Article 12

39. Ms. INGRAO (Italy) said that most centres and services dealing with domestic violence were established by local authorities and non-governmental organizations, as discussed in detail in the third periodic report. The Government provided basic health care services to elderly women free of charge, plus free medicines and hospital care for those in the lowest income groups. There were also plans to create a system of health assistance residences for elderly persons who were not self-sufficient.

40. Ms. SABBADINI (Italy) said that of the 27,000 cases recorded in Italy in 1994, 80 per cent had been men and 20 per cent women. There had been a steady increase in the number and percentage of AIDS cases among women, and the incidence of AIDS among women in the 25-34 year age group had increased eight-fold. Women were infected mainly through intravenous drug use but also heterosexually.

41. The main cause of mortality among women was cancer, followed by cardiovascular disease. Breast cancer was the most common cancer among women.

42. Ms. INGRAO (Italy) said that efforts to "humanize childbirth" were being made mainly at the local level, in response to the "over-medicalization" of childbirth and a national caesarean section rate that was considered unacceptably high. The role of midwives was to be expanded and the possibility of covering home births under the national health insurance scheme was being explored. So-called "gentle birth" wards were also being created in hospitals.

43. Ms. GIAMMARINARO (Italy) said that in cases where the staff of public hospitals were conscientious objectors to abortion, the State allowed hospitals to enter into conventions with outside doctors to provide abortion services. If they lived in an area where abortion was not available, women could travel at their own expense to an area where it was. As a result, some areas had a higher incidence of abortion than others.

44. There was a huge disparity in regulations on "assisted procreation" between public and private fertility centres. The Degan circular, dating from 1985, applied to public hospitals and allowed only sterile married couples to use the procedure and then only through fertilization with the husband's sperm. The activities of private hospitals on the other hand, were subject to few restrictions. New legislation was needed in that sensitive area. The Government had decided not to intervene, believing that Parliament should take up the issue. The Ministry of Health was, however, drafting a law on cloning.

Article 13

45. Ms. INGRAO (Italy) said that the law providing special funds for women entrepreneurs had not been enforced until recently because previous Governments had not been sufficiently sensitive to the issue.

Article 14

46. The key issues in programmes for rural women were training and technical support, which were provided mostly by the three main agricultural organizations. Courses for women entrepreneurs, financed partly through European Union and regional funds, often included an assertiveness training component. An experiment was under way to start a business centre specialized in assisting rural women entrepreneurs. Innovative projects launched by rural women included organic farming and rural tourism.

Article 16

47. Ms. GIAMMARINARO (Italy) said that few changes had been made in the area of alimony payments to childless women. Separated women had a lesser degree of protection under the law than divorced women, but the payment default rates were the same. There was an obvious reluctance on the part of women to exercise their rights in that area and to bring court action.

The meeting rose at 1 p.m.

UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.347
27 March 1998

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Seventeenth session

SUMMARY RECORD OF THE 347th MEETING

Held at Headquarters, New York,
on Tuesday, 15 July 1997, at 3 p.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Second and third periodic reports of Italy (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Office of Conference and Support Services, room DC2-750, 2 United Nations Plaza.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

97-81684 (E)

The meeting was called to order at 3.35 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Second and third periodic reports of Italy (continued) (CEDAW/C/ITA/2 and CEDAW/C/ITA/3)

1. At the invitation of the Chairperson, Ms. Finocchiaro and Ms. Giammarinaro (Italy) took places at the Committee table.

2. Ms. FINOCCHIARA (Italy) said that her Office (the Office of the Minister for Equal Opportunities) had created a central unit to coordinate all the bodies which were or could be involved in women's issues. Immigrant women, who worked in the agricultural sector and were often exploited, under the caporalato system, were of particular concern. The problem was linked to that of unregistered workers. One solution would be to allow unregistered labour, especially immigrant women, to register in order to be protected. In the meantime, it had been decided to introduce incentives for unregistered companies to become registered, declaring their activities and the number of workers they employed. The possibility of providing tax rebates to working women who hired immigrant women to work in the home, thereby lowering the costs of home help and encouraging registration of immigrant workers, was also being contemplated.

Article 16 (continued)

3. Ms. GIAMMARINARO (Italy) said that currently only married couples could adopt children; any change in the legislation was very controversial as it would signify recognition of non-traditional forms of family relationship. However, recognition of The Hague Convention on inter-country adoption, 1993, which was under discussion, might open the way to an amendment in the adoption laws.

4. The reform of the 1975 law placed the legal situation of children born out of wedlock on an equal footing with legitimate children, except for certain marginal aspects concerning succession rights. Natural children could be recognized by one or both parents and had the same rights as legitimate children in regard to maintenance and education.

5. In cases of separation, a spouse without means of subsistence had the right to receive alimony or child support. However, a judge could decide which of the two spouses was responsible for the separation and that person would lose the right to alimony. The provision usually penalized women, as they were generally less financially secure than men, and single-parent families were at risk of poverty. Legislation was being prepared to protect the weaker spouse and to introduce new provisions regarding alimony. In the case of an employed person, it was possible to require the employer to pay part of the salary directly to the spouse receiving alimony; however, a self-employed spouse could cancel earnings. Family associations were working to find a consensual solution to the problem of unpaid financial obligations.

6. Ms. JAVATE DE DIOS said that the Italian representatives' answers to the Committee's questions had provided a better understanding of the political and historical context of the most recent policies on women. Referring to the paradigm shift in the role of women in Italy, she expressed her concern that there appeared to be a reluctance to prioritize the introduction of numerical goals and quotas in the spirit of article 4 of the Convention and stressed that quantitive goals were a necessary complement to other gender mainstreaming efforts.

7. Ms. HARTONO said that it would be useful to learn how the new Minister for Equal Opportunities was working with other Ministers who had recently received directions from the Prime Minister to focus on the gender issue in their respective fields. Was she required to take special steps in the fields of health, immigration or labour or was she merely expected to play a coordinating role? It would also be interesting to hear what had prompted the Government to set up the Ministry and whether it was a former office of equal opportunities which had been upgraded.

8. The report stated that in Italy there had been a shift from providing protection to ensuring equal opportunities, and it would be useful to know whether or not that statement referred solely to opportunities in the workplace. Also, it would seem evident that those who did not benefit from equal opportunities still required protection. The report seemed to reflect that in times of economic difficulty, women were allowed to work outside the house and attain high positions, but, when the economy improved, discrimination tended to increase as there was greater competition for available jobs. According to the report, certain types of promotion in the judiciary were based not only on seniority but also on the number of years served in a given post; that practice appeared to be disguised discrimination, as it usually favoured men.

9. Ms. ACAR observed that Italian women had made impressive gains in a number of areas, especially in education and the professions. However, their advancement was less notable in politics and decision-making. Women were increasingly better educated and more empowered in Italy, but gender stereotypes were not changing at the same rate as in some countries. Moreover, certain aspects of the stereotypical family role of women, in particular, the caring responsibilities, were reinforced and even glorified by the State's attitude and policies. As in other European Union countries with an ageing population, there was a tendency to pass all responsibility for caring for old people to women instead of considering it a societal obligation which should be shared equally by men and women. That situation gave cause for alarm because, far from promoting the redistribution of such responsibilities between men and women, the attitude and policies in question placed a double burden on women. Early retirement for women was a further sign of the State's expectation that women should be the primary care-givers.

10. What happened in Italy had an influence on the gender policies of other countries with regional or cultural commonalities, and a lessening of responses to gender inequality would have repercussions throughout the region. Lastly she wished to know why there was no mention of the participation of non-governmental organizations, especially women's associations, in the preparation of the report.

11. Ms. Yung Chung KIM said that she was very impressed by Italy's third periodic report, which explained the logic and reasoning behind the policies and actions that had been taken in the interests of women in Italy. She particularly welcomed the mainstreaming of gender-perspective issues into all government policies and the profound change that had taken place in attitudes. It was commendable that women in Italy had achieved an appropriate degree of self-assertiveness and a sense of identity. Greater support should be given to the role of women in peacekeeping and peacemaking, since women could certainly contribute to conflict resolution and help alleviate tension between population groups and nations.

Article 2

12. Ms. CARTWRIGHT requested additional information on direct and indirect discrimination. She wished to know, for example, whether the Italian Constitution prohibited actions or policies by public or private bodies that had either the intent or effect of discriminating against women. Experience showed that the drafting of constitutional provisions or legislation to combat indirect discrimination could be extremely complex and sometimes defeated the purpose of such provisions or legislation. There was a need to sensitize lawyers and the judiciary to the international obligations that Italy had assumed by ratifying the Convention on the Elimination of All Forms of Discrimination against Women and other international conventions in order to clarify the relationship between international and domestic law. Without such sensitization, the Constitution and the law were often interpreted too narrowly, particularly in the area of indirect discrimination.

13. Ms. FERRER said that, according to the second periodic report, the equality adviser of the Central Employment Commission participated in the National Committee for the implementation of the principles of equal treatment and equality of opportunity between male and female workers, and she requested information on the impact of that participation. The third periodic report indicated that such advisers existed at the national, regional and provincial levels, although not in all regions or provinces. Most equality advisers had complained that they did not have sufficient staff to enable them to carry out their duties, and she wished to have more information on the kind of staff needed by the advisers. She inquired about the number of cases brought by equality advisers and the results. She asked whether equality advisers received special training in dealing with gender-related issues, and how many of those advisers were women.

14. Ms. AOUIJ commended the efforts of the Italian Government to combat all forms of racism, xenophobia and discrimination, especially against immigrants and their children. She suggested that Italy should encourage the European Union and its decision-making bodies to use the Convention as a reference document and to consider its provisions as objectives to be attained in the field of women's rights by all countries members of the European Union.

Article 3

15. Ms. OUEDRAOGO said that, when she had read the second periodic report, she had realized that, although it was part of the Office of the Prime Minister, the

National Commission for the Achievement of Equality between Men and Women did not have the necessary autonomy to deal with all the challenges facing it. Moreover, the report did not provide a clear profile of the members of the National Commission. The establishment of the Office of the Minister for Equal Opportunities would ensure Italy's further progress in the area of women's rights, and Italy should serve as a model for other countries in that field.

16. The CHAIRPERSON said that she was concerned about reports of the ill-treatment of prisoners by police and excessively long pre-trial detention periods, as well as dangerous trends towards racism, particularly vis-à-vis immigrants and minorities. Italy had an immigrant worker population of approximately 1 million, of which 48 per cent was female. In that regard, she wished to know the number of female prisoners currently in detention and what kind of facilities existed for them.

17. According to the third periodic report, women were reluctant to report domestic violence. In that connection, she inquired whether the Italian media had ever tried to make women and the general public more aware of that problem and whether law-enforcement agencies and medical personnel received sufficient training in that area. She wished to know what kind of image of women was projected by the Italian media, which were heavily controlled, and how that image differed from the image put forward by the Government. She requested information on the percentage of women in the mass media and the number of private television channels.

Article 4

18. Ms. GONZALEZ, drawing attention to paragraphs 19 to 24 and 30 and 36 of the third periodic report, said that the decisions of the Italian Constitutional Court and the European Court of Justice referred to in those paragraphs were consistent with opinion that opposed the use of quotas for the political participation of women in elections. Paragraphs 23 and 24 provided two interpretations of the Italian experience, the second of which suggested that deeper changes were needed. She requested the Minister for Equal Opportunities to express her views on the kind of changes that should be implemented. In her opinion, it was necessary to eliminate the social stereotypes that had enabled men to wield power in the political, educational and economic fields; that could be achieved only through constant efforts to educate and inform the population with a view to promoting a change in mentality.

Article 5

19. Ms. CARTWRIGHT said that it was important to encourage women to complain to the police and go to court when they were victims of sexual or family violence so that male perpetrators would understand that such offences did not go unpunished. In that regard, she asked whether there were any measures to encourage women to come forward with the assurance that the court hearing would be private, their names and other identifying details would not be divulged and that they could be accompanied by a friend. The police and the judiciary should be sensitized to the need to ensure that the public understood that such behaviour was unacceptable and would not be tolerated in a civilized society. She wished to know whether there was a time-limit on bringing such complaints to

the police and the courts, since in many countries such complaints were delayed for many years for a number of reasons. She inquired whether any research had been done on the incidence of sexual and violent assaults against young children, particularly girls, and requested information on paedophilia in Italy.

20. Ms. JAVATE DE DIOS asked whether any research had been done on violence against women, particularly migrant women. Many migrant women worked in occupations that were unprotected, unregistered and not monitored by the Government, and she inquired whether legal and health benefits were available to such women. She wished to know what measures Italy had taken to educate the public in general and families in particular about the positive role of women, eliminate stereotypes and promote a change in attitudes towards women.

21. Ms. FERRER said that it was not clear from the report and the delegation's oral presentation whether there had in fact been any public debate on the issues of gender stereotypes and the role of women in the family and society at large. She wondered, in particular, whether women members of the national parliament and other women in leadership positions had initiated such a public debate not only to increase the effectiveness of their own work but also to raise the consciousness of women in general. The debate, which should also cover the issue of domestic violence, should take place as soon as possible, so that future generations would be spared current stereotyping.

22. Ms. JAVATE DE DIOS expressed satisfaction at the steps taken by the Government of Italy to criminalize the ownership, management and letting of houses of prostitution.

23. Ms. BUSTELO GARCÍA DEL REAL observed that Italy's plans for implementation of the Beijing Declaration and Platform for Action made no mention of measures to eliminate trafficking in women and forced prostitution or to increase public awareness of those practices. Migrant women from developing countries were the most common victims of such abuse and special programmes must be instituted to address the situation. She hoped that in its next report Italy would update the Committee on the progress made towards the effective implementation of its legislation to combat trafficking in women and forced prostitution.

Article 7

24. Ms. BUSTELO GARCÍA DEL REAL asked what had been the reaction in Italy to the recent decision of the Constitutional Court to limit remedies for discrimination to compensation for the material harm caused. She wondered, for example, whether changes in the electoral laws were contemplated and whether minimum quotas for women candidates in the electoral lists of political parties had been proposed.

Article 10

25. Ms. JAVATE DE DIOS noted that textbooks were one way of perpetuating gender bias. She would welcome information on the steps taken to introduce and institutionalize women's studies programmes in academic institutions and to sensitize school teachers and other educators to gender and human rights issues.

She also wished to know whether any efforts were being made to promote the integration of migrant children into the mainstream of Italian society.

26. Ms. Yung Chung KIM expressed disappointment at Italy's failure to revise its school textbooks with a view to promoting gender equality and the empowerment of women. Such a task was best done through the formal education system. She wondered whether women's movements and feminist groups had taken any initiatives in that area.

Article 11

27. Ms. BARE sought additional information on the oversight body which the Office of the Minister for Equal Opportunities proposed to create for the better coordination of programmes aimed at promoting entrepreneurship among women and easier access to credit for self-employed women. She wondered whether other institutions were also engaged in promoting self-employment among women and thereby contributing to the country's overall economic growth and to job creation. In that connection, she wished to know how many jobs had been created by women entrepreneurs and in which sectors. With regard to the sharing of family responsibilities, she was disturbed by the fact that only 0.4 per cent of working men also assumed responsibility for work in the home. It would be interesting to learn whether the oversight body proposed to monitor trends in that area. Lastly, she expressed satisfaction at the role played by Italian women in peacekeeping operations and the hope that, with the participation of women, human rights abuses of the type alleged to have been committed by Italian soldiers in such missions as the United Nations Operation in Somalia (UNOSOM) would not occur in future.

28. Ms. BUSTELO GARCÍA DEL REAL asked whether the Italian Government proposed to conduct any study of non-remunerated work, as recommended in the Beijing Declaration and Platform for Action. With regard to the organization of work time, it would be interesting to compare the numbers of men and women engaged in part-time work both in and out of the home. She hoped that in its next report, Italy would update the Committee on recent trends in that area.

29. Ms. AOUIJ noted that the wrenching economic changes brought about by the phenomenon of globalization and the end of the welfare State made it imperative for States such as Italy to adopt social policies that would guarantee education, health coverage and employment opportunities, especially for women. She wondered what measures had been taken by the Office of the Minister for Equal Opportunities to promote equality for women and to combat discrimination against them in the field of employment and career development and whether it could quantify the results of its efforts to increase women's access to technology and credit, which were important tools for their empowerment. She would also welcome information on the numbers of men and women engaged in part-time work and whether legislation was in force to provide social welfare and health benefits to migrant women.

30. Ms. JAVATE DE DIOS asked whether there were quotas limiting the number of migrant women permitted to work in Italy and what criteria were used for the granting of work permits. She also inquired whether workers who were unregistered could be penalized and how they were otherwise treated. It was her

understanding that migrant women performed tasks in Italy which local women shunned. There was therefore a risk that migrant women could become trapped in occupational ghettos, even though they might hold professional and other occupational qualifications. She wondered what steps were being taken by the Government to integrate such workers into the labour force and what types of training programmes were available to them. With regard to sexual harassment in the workplace, she wondered whether that subject had been taken up by trade unions, whether there were laws against sexual harassment and whether the Government had taken any action to increase public awareness of the problem.

Article 12

31. Ms. ABAKA noted that breast cancer ranked first in Italy among gender-specific tumours and caused approximately 11,000 deaths each year. She was therefore puzzled by the insufficient use being made of early detection screening measures, such as mammography and pap tests. The Committee would also welcome more information on why the incidence of lung cancer, which had stabilized among men, had increased sharply among women. She wondered whether there might not be some connection between that increase and the incidence of work accidents and work-related illnesses. She would welcome more information on the incidence of drug addiction in Italy and would also be interested to know why delivery by Caesarean section, which had certain adverse consequences for the life cycle of the woman, was so prevalent in Italy.

32. Ms. SHALEV congratulated Italy on its excellent oral and written reports. The type of analysis of women's health issues and the attention to gender issues in general contained in the State party's third report were worthy of emulation by other countries.

33. Noting the overlap between the question of reproductive health and women's occupational health, she urged the State party, when revising provisions relating to the protection of health during pregnancy, also to look at the impact of workplace hazards on men's reproductive health, a factor that often was overlooked. Women should not have to face exclusion from high-income jobs because they chose to avoid reproductive hazards in the workplace; society should make the workplace safe.

34. With regard to the State party's response to questions raised concerning the impact on women's health of domestic violence, she underscored the importance of training public officials and health-care professionals to identify and manage domestic violence and to provide appropriate care for victims.

35. The State party's analysis of what it referred to as the over-medicalization of pre-natal care was very instructive and she welcomed the information concerning midwifery services and opportunities for home deliveries. However, it was a matter of serious concern that legal abortion services were not available in southern Italy. Although it was generally accepted that medical professionals could not be forced to provide services which ran counter to their dictates of conscience, they should withhold such services only if they were in a position to refer the client to other health professionals willing to provide the services in a timely manner. She wished to know whether the

National Health Service reimbursed the cost of contraceptives and abortion services as well as nursing care for, and medications for the management of osteoporosis and circulatory disorders in, elderly women. She inquired how the Government was addressing the problem of the increasing number of women affected by HIV/AIDS as a result of heterosexual transmission. Noting that the manifestations of cardiovascular disease in men and women were different, she wished to know what was being done to ensure the early detection of such symptoms in women.

36. Italy was on the cutting edge of assisted reproduction technologies and she urged the State party to initiate a public debate, in particular, in the legislative branch, on the various aspects of the issue. Owing to the influence of the Catholic Church, the limitations on assisted reproduction imposed by the Government were unduly restrictive and impeded the right of women to exercise their reproductive autonomy. That was incongruous, since under the civil law, the distinction between legitimate and illegitimate children had been abolished. It was inappropriate to leave matters to private clinics, given how new and costly assisted reproduction technologies were, their low success rate, and the lack of knowledge of the long-term effects on women of the new hormonal treatments.

Article 14

37. Ms. OUEDRAOGO would welcome additional information on women in rural areas of Italy. She wondered whether the performance of the national fund which had been established to promote entrepreneurship among women had been evaluated to determine its impact on rural women. She also inquired whether women were involved in the elaboration of the policies that affected them.

Article 16

38. Ms. CARTWRIGHT, while welcoming the change in the attitude towards women in Italy and in particular the move away from the "breadwinner model", warned that men also tended to welcome that change, since they took it to mean that they could retain a greater share of their income and assets and not provide for the women in their lives. During the current period of transition in Italy, many middle-aged and older women would be unable to provide for themselves, given the difficulty of access to paid employment and other factors, such as ill health and responsibility for the care of children. The reforms should therefore provide for such arrangements as direct deductions from the income of men and the sale of estates in order to ensure that women were not left in poverty.

39. Ms. BERNARD asked whether, in determining the division of matrimonial property upon divorce, the services of the woman as wife and mother were taken into account when assessing her contribution to the acquisition of the matrimonial property.

40. Ms. FINOCCHIARO (Italy) expressed her delegation's warm appreciation to the Committee for the keen interest shown in her country's reports. Her staff in the Office of the Minister for Equal Opportunities included women representing a wide variety of views and women's groups, a factor which, although it had created some political difficulties, had proved to be a major asset. Her office

was dedicated to monitoring the impact of policies over time and focused on the impact of the Government's financial and economic policies on the employment and economic conditions of women. It was empowered to work with the various ministries to draft legislation affecting women and also could take the initiative by raising new issues for inter-ministerial consideration. Her Office was experimenting with new ways to apply mainstreaming in the context of its assessment of the general and gender-specific impact of its policies.

41. It was still too early to assess the impact of legislation adopted to combat sexual violence. A statistical survey currently in progress showed that a very high percentage of women victims did not pursue their complaints. However, the number of women filing complaints had increased in recent years. A new law to combat sexual violence adopted in February 1996 incorporated provisions to protect the privacy of victims, and such protection was particularly strong where the victim was under age. At the European Union Ministerial Conference on the question of trafficking in women for the purpose of sexual exploitation, her Government had voiced its very strong abhorrence of forced prostitution, which was a violation of the rights of women and children and constituted a form of slavery. It was imperative to coordinate international policies to combat trafficking in women, which usually was perpetrated by organized crime. Consideration also must be given to the countries of origin of the girls and women involved when addressing the problem.

40. With regard to questions raised concerning the oversight body established to monitor the state of affairs in promoting women's entrepreneurship, she said that the purpose of the project was to determine whether women's businesses remained in existence over time, whether jobs for women were created and good business practices were followed, and whether women received access to credit and the training needed to sustain their entrepreneurship efforts.

42. As to questions concerning the conditions affecting immigrant women, she noted that her Office had worked vigorously to promote the inclusion in draft legislation of the right to family reunification in the country of work. She reassured the Committee that an employer who required an immigrant legally entitled to work to perform unregistered work was subject to sanctions, whereas the employee was not. Italy did have entry quotas, and benefits and work permits were related to those quotas.

43. An extensive debate encompassing a wide range of secular and religious views was in fact under way concerning assisted reproduction; the current restrictions had been introduced by the previous Government. In conclusion, she said that the Convention provided the countries of Europe with appropriate guidelines to help them to achieve genuine unity.

44. The CHAIRPERSON, speaking on behalf of the Committee, commended the delegation of Italy for its comprehensive and frank reporting. The State party clearly had made a considerable effort to make its economy and administrative machinery more gender-sensitive, although social attitudes lagged behind in that respect. The report bore testimony to the Government's sincere efforts to ensure the meaningful participation of women in strategic decision-making, efforts which provided a model for other countries to follow. She also paid a tribute to Ms. Corti, the former Chairperson of the Committee, an Italian woman

who had made a major contribution to the cause of women's rights at the international level.

45. The Committee particularly welcomed the establishment in Italy of the National Commission on Equality and Equal Opportunities as well as the progress made towards the implementation of the Beijing Platform for Action and with respect to the mainstreaming of women's issues in all Government ministries. The Committee also highly valued the State party's contribution to international peacekeeping.

46. There were a number of concerns which the Committee hoped would be addressed in the State party's next report. They included: the particularly high proportion of women living in poverty in southern Italy; the need to ensure greater participation by women in policy-making; the excessive glorification of women's role in domestic life; the inadequate emphasis on article 4 of the Convention and the absence of quantitative goals for women's participation in political and public life; and the need to address questions relating to violence against women from a broader societal prospective which would reject traditional patriarchal attitudes. The concerns expressed regarding the detention and ill-treatment of prisoners, in particular, of immigrants, and delays in judicial proceedings, also should be addressed. The disparity between the situation of women in northern and southern Italy should be further reduced and eventually eliminated.

The meeting rose at 6.20 p.m.

UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.348
3 April 1998

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Seventeenth session

SUMMARY RECORD OF THE 348th MEETING

Held at Headquarters, New York,
on Wednesday, 16 July 1997, at 10 a.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

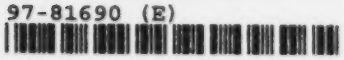
Combined initial, second and third periodic reports of Antigua and Barbuda and supplement to the initial, second and third periodic reports (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Office of Conference and Support Services, room DC2-750, 2 United Nations Plaza.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

97-81690 (E)



The meeting was called to order at 10.30 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Combined initial, second and third periodic reports of Antigua and Barbuda (CEDAW/C/ANT/1-3) and supplement to the initial, second and third periodic reports (continued)

1. At the invitation of the Chairperson, Ms. Akbar and Ms. Tonge (Antigua and Barbuda) took places at the Committee table.

2. Ms. TONGE (Antigua and Barbuda) said that her delegation would endeavour to respond to as many of the questions from Committee members on the presentation of its combined initial, second and third periodic reports and the supplement to those reports as possible. Those questions which it could not currently answer would be addressed in its next report.

Article 1

3. With its upgrade to Cabinet level, the Directorate of Women's Affairs had gone from a staff of two to a full staffing structure including an Executive Director and Assistant, two project officers, a research officer, and two administrative officers. Its budget allocation for 1996 had declined slightly from the 1995 figure because of structural adjustment, but had been increased again for 1997, for a total of 321,085 East Caribbean dollars. The majority of the budget went to salaries and operating costs, with programme implementation funds coming mainly from outside agencies.

4. The Directorate was not a legislative body, but worked closely with the Ministry of Justice and Legal Affairs to initiate legislation supportive of the advancement of women. It acted as a catalyst for policies relating to the advancement of women with all Government departments through the identification of focal points. In order to promote policies at the local level, the Directorate convened a monthly meeting with non-governmental organizations, participated in events organized by various interest groups, and produced a quarterly newsletter. It also used both the print and electronic media to report on developments of interest to women.

Article 2

5. With respect to the structure of the national legislative machinery, she said that the structure of the Government was very similar to that of other former British Caribbean territories, with a bicameral legislature. The members of the upper house, or Senate, were appointed by the Governor General, while the lower house was made up of elected members of Parliament. The Senate's main function was to debate, review and approve decisions of the lower house. The President of the Senate was a woman, who served on the National Advisory Council of the Directorate of Women's Affairs.

6. The judiciary was independent of the Government and acted to safeguard constitutional rights and freedoms. Its jurisprudence was modelled on English common law, which could be amended by the legislature. The judiciary was made up of the High Court, which heard civil and criminal cases, the Magistrate Court, which heard civil matters involving claims not greater than EC$7,500 and conducted preliminary inquiries to determine whether a matter should be referred to the High Court, and the Industrial Court, which dealt with industrial matters. Appeals from the High Court and the Industrial Court could be heard in the Eastern Caribbean Court of Appeal, with the ultimate right of appeal to the Privy Council.

7. In its effort to encourage women to reach higher positions in the workplace, the Directorate had organized management training programmes and workshops, which had led to the formation of a professional women's support organization. A mentoring scheme for women was also being considered. Women's non-governmental organizations had always played a major role in promoting the advancement of women. In fact, the Directorate of Women's Affairs itself had been established as a result of lobbying by the Women's Action Group of the Antigua Labour Party.

Article 3

8. The draft model law on equal opportunity of the Caribbean Community (CARICOM) was currently under consideration as the basis for Antigua and Barbuda's own Equal Opportunity Act. Areas covered in addition to discrimination in the workplace included trade authorities, professional organizations, vocational training, qualifying bodies, employment agencies and service providers. The draft also addressed discrimination in job advertising and application forms. Additional aspects might be introduced into the draft to meet local needs, as well.

9. The Divorce Act had been passed in March 1997 but had not yet taken effect. Under the new Act, one of the duties of the courts was to see that reasonable support arrangements were made for the children of the marriage. Either or both spouses could be ordered to pay a lump sum or to make periodic payments, and also to provide maintenance to the other spouse. Either spouse or other individuals could petition the court for custody of the children of a marriage. The new Act did not cover the disposition of property, which was currently dealt with in the Married Women's Property Act.

10. With regard to the organizational structure of the Directorate, she said that the Executive Director reported to the Permanent Secretary of Parliament, the highest-ranking member of the civil service, who in turn reported directly to the Prime Minister. Within the Directorate, the Assistant Director, the Programme Officers and the Research Officer would report directly to the Executive Director. The Executive Director also reported monthly to the Advisory Committee, a 12-member independent body made up of representatives of non-governmental organizations and civil society, which advised the Directorate on policy issues and monitored and evaluated its work.

11. The Directorate's main objective was to support and initiate efforts to improve the situation of women and empower them through training and education.

Essentially, its work was to spearhead, implement and monitor development plans for women through advocacy, education, personal development, research, the promotion of public awareness on gender issues and training. The Plan of Action referred to earlier was the National Plan of Action proposed by the Government.

Article 4

12. The National Five-Year Development Plan had a component on women that was limited in scope and would be revisited to integrate gender into the development process. When the focus had been on women and development, the Directorate had concentrated on traditional projects designed specifically for women, but in response to changes in the international agenda since the Beijing Conference it had shifted its emphasis to gender and development.

Article 5

13. With regard to stereotypes in the educational system, it had recently been realized that the socialization of boys and girls within the home and wider society had a powerful influence on their choice of traditional skills even when they were offered a wider range of options. Within the school system, boys still had greater exposure to technical skills and girls to domestic skills.

14. Ms. AKBAR (Antigua and Barbuda) said that plans were in place for gender training for teachers, students and the media as part of the preparations for implementation of the Gender Management System. For the most part, the management of such programmes was the responsibility of the Directorate. The 24-hour crisis hotline would begin operation on 1 August 1997. Plans for its management included a management committee comprised of members of society and the Executive Director. The hotline would have its own resources and staff, but the Directorate would be responsible for gaining access to funds for the first two years of its operation, after which it should become self-sustaining. It would be operated by trained volunteer counsellors, who could refer victims to appropriate agencies. The programme also included support services (a victim support group), a domestic violence education and awareness component and a legal reform group to review existing legislation and organize a women's legal literacy programme. A team of legal experts would offer free legal advice to victims. In Antigua and Barbuda, as in many developing countries, there were deficiencies in the statistical data available; gender-disaggregated statistics on violence would be provided in the next report.

15. Since passage of the 1995 Sexual Offences Act, 15 cases had been brought, 10 had reached the courts, and 7 had been successfully prosecuted.

16. The media had a powerful role to play in changing attitudes towards and stereotypes of women's roles. Very good coordination existed between the Directorate and the media in promoting its programmes.

Article 7

17. Promoting women in decision-making roles in both the public and private sectors and the judiciary was a priority of the Directorate. Later in 1997 it would begin a programme including political, motivational, management and

assertiveness training, classes in public speaking and workshops on the structure of Government for women in both the public and private sectors.

Article 8

18. The 19 women holding international posts included a Consul, a Minister Counsellor, two Counsellors, a First Secretary and administrative and ancillary staff. The Ministry of Foreign Affairs was headed by the Minister, who was also the Prime Minister. Directly responsible to the Minister were two Permanent Secretaries, followed by Ambassadors and High Commissioners in the hierarchy. The Permanent Mission to the United Nations consisted of a Deputy Permanent Representative, followed by a Minister Counsellor, a Counsellor, First and Second Secretaries and Attachés.

Article 9

19. Although no woman had yet been nominated to public office, women had been appointed to the posts of President of the Senate, Speaker of the House and Parliamentary Secretary Responsible for Women's Affairs. The Directorate would undertake training workshops in lobbying for non-governmental organizations, in response to the CARICOM Plan of Action prepared at the Fourth World Conference on Women, which included the establishment of a lobbying group comprised of prominent women from the region. Although official quotas for women's participation in public affairs had not been set, at the November 1996 Meeting of Commonwealth Ministers Responsible for Women's Affairs, it had been generally agreed that all Commonwealth Governments would set such quotas. Endorsement of the recommendation was expected at the October 1997 meeting of Commonwealth Heads of Government, which should result in speedy implementation.

Article 10

20. No statistics were available on the drop-out rate among girls or on the prevalence of teenage pregnancy. Because of cultural and religious attitudes, views were divided on the right of pregnant teenagers to continue their education. A planning committee consisting of health-care workers, educators, church and social workers and family planning officers had been established to develop a policy to address the issue, with support from United Nations agencies and international organizations. The Directorate of Women's Affairs offered a programme allowing pregnant teenagers, as well as young mothers who had had to discontinue their education owing to early pregnancy, to continue their studies. The programme provided training in functional literacy, job skills, parenting skills, family life education (including family planning) and HIV/AIDS education.

21. Girls did not usually drop out of school because of household obligations; early pregnancy was more likely to be the cause. Girls were encouraged to attend school and expected to perform well, and generally outperformed boys in primary- and secondary-school examinations. In fact, concerns had arisen as to the impact on boys of the current focus on girl children. The socialization of children, however, tended to perpetuate gender stereotypes, and the media portrayed women in a sexist fashion; most programmes came from North America,

but locally produced programmes were not much better in terms of their portrayal of women.

22. The country's comparative literacy rate was estimated at 88.7 per cent. In the 1992/93 session, overall female enrolment in primary and secondary schools, Antigua State College, the University of the West Indies School of Continuing Studies and the Hotel Training School had been 51 per cent. No girls over the age of 20 were currently enrolled in primary or secondary school. Career counselling and vocational guidance covering a wide range of career opportunities were provided by the Ministry of Education, the Directorate of Women's Affairs and the Soroptimist International Association. Education in government schools was free of charge, though the system's financing relied in part on an education levy imposed on all workers.

Article 11

23. The retirement age for civil servants was 60. Under the Social Security Act, anyone who made social security payments was entitled to receive a pension at the age of 60. In the private sector, the retirement age was usually also 60.

24. Although Antigua and Barbuda had not ratified International Labour Organization Convention No. 100, discussions on the possibility of doing so were under way and the principles of that Convention were being observed. Charges for public childcare facilities were minimal compared to private facilities. The Ministry of Education provided financial assistance in the form of free lunches, and the United Nations World Food Programme provided technical assistance and training. Women were organized in trade unions and made up 65 per cent of the organized labour force. The General Secretary of the Antigua Trades and Labour union was a woman.

Article 12

25. It was not possible to include HIV/AIDS patients in the Medical Benefits Scheme because of the high costs associated with their care; any suggestion in that regard would be welcome. Specific data on the number of female doctors, pharmacists and nurses in the country were not available, but the number of female doctors had increased recently and the majority of nurses were women. Drug addiction among women was an area which the Directorate of Women's Affairs intended to investigate and in which it intended to draw up a plan of action.

26. The Medical Benefits Scheme subsidized care and drugs for patients with diseases covered by the Scheme, and provided financial assistance for travel to patients needing treatment that was not available in Antigua and Barbuda. Every employee paid into the Scheme, which was managed by a civil servant who reported to a Board of Directors consisting of members of civil society; the Board was directly accountable to the Minister of Health. The Medical Benefits Scheme did not cover the cost of contraception.

27. In relation to the increase in HIV/AIDS, the Directorate of Women's Affairs was working with the AIDS Secretariat to promote educational programmes and was represented on the Committee of that Secretariat. The AIDS Secretariat also

supported the Directorate's programme for teenage mothers. The Directorate had a comprehensive programme for victims of domestic violence that included collaboration with the Health Care Services programme and provided for the treatment of victims of domestic violence free of charge. A training programme in that area for health care professionals had been proposed. With respect to cancer detection and prevention, Pap tests were provided to women free of charge. On the occasion of International Women's Day in 1997, the Directorate had organized a women's health fair. It hoped to continue to carry out health education programmes in collaboration with the Ministry of Health.

Articles 13 and 14

28. Although it was usually difficult for women to offer collateral to secure loans, the Government's measures to encourage agricultural development, which had declined with the rise of the tourist industry, provided cost-free parcels of land and duty-free concessions on agricultural equipment to individuals willing to engage in agriculture. However, women often engaged in agriculture on a part-time basis only, owing to their multiple responsibilities. Other loan programmes were available through national banks and other lending institutions, such as the National Development Foundation, most of whose borrowers were women.

Article 14

29. Currently, there was no global policy concerning rural women. A network of clinics provided rural women with medical attention, prenatal and post-natal care and other health services, including family planning and emergency care.

Article 16

30. Under the laws of Antigua and Barbuda, women had the same inheritance rights as men. The Status of Children Act did not differentiate between male and female children or between children born in or out of wedlock, and the Married Women's Property Act gave married women the same rights as single women to acquire real or personal property. In cases of divorce or legal separation, the welfare of the children of the marriage was the paramount consideration. Mothers and fathers had equal rights to apply to the courts in respect of any matter concerning the custody of or access to their children. Both could have joint custody and joint or proportional financial obligations to provide maintenance. In the case of common-law unions, the welfare of the children was still the governing principle.

31. Ms. ABAKA said that she was pleased that the participants in the last Meeting of Commonwealth Ministers Responsible for Women's Affairs had proposed that all member States should set quotas for women's participation in politics, especially since a backlash against such participation was apparent in some countries which had served as role models in that area. She hoped that the heads of State of the Commonwealth countries would adopt the proposal, since it would represent a step forward in the area of women's access to decision-making power.

32. Ms. BERNARD said that the report and presentation had been remarkably good, considering that Antigua and Barbuda was a small island State plagued by

difficulties in data-keeping and a shortage of personnel to compile and present information. She hoped that the country's next report to the Committee would reflect an increased rate of women's high-level representation in Parliament.

33. The CHAIRPERSON said that she welcomed the current Government's increased attention to issues affecting women, demonstrated by the Prime Minister's declaration, immediately after his election, of his intention to redress inequalities in power-sharing between women and men at the highest levels of policy-making. Since the Constitution banned sex discrimination, any individual could bring complaints of such discrimination before the courts, in line with the provisions of the Convention. She hoped that the Equal Opportunity Act would be introduced without delay and that its scope would be expanded to cover the full range of women's rights. The adoption of the 1995 *Sexual Offences* Act was a welcome development. She hoped that the bills on domestic violence, equal pay and women's employment would be adopted and implemented in the near future. Also welcome were the efforts to sensitize health and law-enforcement officials to the issue of violence against women.

34. The need for effective enforcement of the laws, the overemphasis on women's reproductive role and women's absence from national policy-making bodies were of concern to the Committee. Given the high percentage of women in the formal labour market, affirmative action could give more women access to senior managerial posts. The country's national development plan was welcome, but should be expanded to ensure wider integration of the gender perspective. In the area of health, more measures were needed with respect to teenage pregnancy, the conflict between law and practice with respect to abortion and recognition of women's reproductive rights as part of their fundamental human rights.

35. Nonetheless, the Government of Antigua and Barbuda was clearly committed to the advancement of women and had made commendable efforts despite economic and social barriers and the country's status as a developing and newly independent State. The Committee looked forward to the Government's adoption of effective measures to ensure the full implementation of the Convention.

The meeting rose at 11.45 a.m.

UNITED
NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.349
3 April 1998

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Seventeenth session

SUMMARY RECORD OF THE 349th MEETING

Held at Headquarters, New York,
on Wednesday, 16 July 1997, at 3 p.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial report of Armenia (continued)

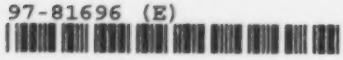
IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Office of Conference and Support Services, room DC2-750, 2 United Nations Plaza.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

97-81696 (E)



The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial report of Armenia (continued) (CEDAW/C/ARM/1 and Corr.1)

1. At the invitation of the Chairperson, Mr. Abelian, Ms. Aghadjanian and Mr. Avakian (Armenia) took places at the Committee table.

2. Mr. AVAKIAN (Armenia) expressed his delegation's gratitude for the sincerity underlying members' expression of concern and advice regarding the problems raised in its report. His Government would be sure to include in its future reports information based on the Committee's general recommendations.

3. His country's initial report was incomplete. It had become an independent State only six years earlier and had not been bound by the international conventions to which the former Soviet Union - of which it had been a part - had been a party. The current Ministry of Foreign Affairs, with a staff of nearly 200, had prior to independence been a purely symbolic entity with a staff of five, and there had been no entity responsible for training foreign service personnel. The absence of reliable statistics had made comparative studies difficult. His Government attached priority to taking its place in the international community by becoming a member of various international organizations, ratifying international conventions and harmonizing its domestic legislation, in particular in the legal sphere, with international standards and conventions. International experts provided advice with respect to the elaboration of codes and legislation on matters covered by international conventions. The success of Armenia's efforts to remedy its pressing social problems, which affected women in particular, depended on its economic recovery.

4. Turning first to general questions posed by members of the Committee, he noted that paragraph 21 of the initial report no longer applied and that the Supreme Court was not involved at all in the adoption of legislation. Laws were adopted by the National Assembly and promulgated by the President, and they entered into force on the date of publication. The Constitutional Court could express its views on draft legislation before Parliament.

5. The Ministry of Foreign Affairs had withdrawn from the Centre for Democracy and Human Rights in order to ensure the latter's impartiality. The Centre dealt with the protection of women's rights within the broader context of the protection of human rights in general.

6. The Constitutional Court, established in 1995, consisted of nine members, five of whom were appointed by the National Assembly, and four, by the President. The judges, who could not be removed from their posts, served until the age of 70, were independent and were subject only to the law. They could not serve in any other public capacity. The Court's mandate. which was established by law, was to ensure that decisions of the National Assembly, presidential decrees and orders, Government decisions and international treaties

were consistent with the Constitution. The Court also resolved disputes relating to referendums and elections and ruled in matters relating to the removal of the President from office and his ability to discharge his functions. Cases could be brought before it by the President and at least one third of the members of the National Assembly. As to concerns that discrimination was possible under the Constitution, he said that that was a mistaken impression created by translations of the Constitution from the Armenian language.

Article 1

7. Ms. AGHADJANIAN (Armenia) said that most of the questions raised with respect to article 1 would be covered in her delegation's replies under articles 5 and 6. As the overall economic situation in the country improved, women endeavoured to change traditional values and were paying greater attention to their role in public life without sacrificing their families. A serious shift in the national mentality was needed to help them face that challenge. Non-governmental organizations provided support for that effort.

Article 2

8. Mr. AVAKIAN (Armenia) said that a new translation of the Convention issued in 1996 had been widely disseminated in nearly all regions of the country. The Convention was available in bookstores and was covered in the human rights curriculum in the schools. A dialogue was maintained, often by non-governmental organizations, on the Convention and on discrimination. Any individual could invoke any convention ratified by Armenia before the national courts. International conventions comprised an integral part of the legal system, were directly applicable before the relevant entities and had the primacy and force of law in the event of a contradiction with domestic law. The courts could reject domestic law to assert the primacy of the Convention.

9. As to specific programmes to devise norms governing efforts to combat discrimination, he noted that all draft codes and laws currently under consideration contained provisions guaranteeing equal rights for women. International organizations and non-governmental organizations organized meetings on discrimination issues.

10. Women could attend law school and become lawyers on an equal footing with men, and there currently were a number of women lawyers in his country.

11. As to the Government's efforts to combat discrimination, the establishment of a women's advocacy department was under consideration, as was a policy document intended to ensure the de facto equality of women and their participation in the economic, political, social and cultural life of the country on an equal footing with men.

12. The current Penal Code had been adopted during the Soviet era and had been substantially revised. A new Penal Code was expected to be adopted by the end of the year, and the adoption of a new Civil Code was expected in May 1998. Both new codes substantially altered the spirit and the letter of those in force. With regard to the questions raised concerning rape, he said that 24 cases had been brought before the courts in 1995, compared with 21 in 1994.

The Penal Code provided for imprisonment in cases of rape ranging from 2 to 15 years.

13. Although the Labour Code called for equal pay for equal work and equal opportunities for men and women to advance in their careers, in practice, men occupied higher positions at higher salaries. His country had ratified the 1951 Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value. The parliamentary resolution adopted on 8 July 1991 on urgent measures for the protection of women, maternity and childhood, and the strengthening of the family - which had been adopted before a clear distinction had been established between resolutions and laws - had become an integral part of his country's legislation.

14. Ms. AGHADJANIAN (Armenia), indicating what had been done in the area of mainstreaming, said that the Government, with the assistance of the United Nations Development Programme (UNDP), had launched the Support to Gender in Development Programme as a follow-up to the Fourth World Conference on Women, in order to promote mainstreaming of gender issues in the context, inter alia, of governance, development management, sustainable livelihood, legislation and access to services. As to national machinery for the promotion of women's rights, the Department for the Advancement of Women would become operational in 1998, when it would take over full responsibility for gender issues from the Ministry of Social Security.

15. Referring to specific economic and social reforms to help women emerge from poverty, she said that special attention was paid to the participation of women in training programmes for employees of enterprises undergoing privatization. Further progress was needed in that regard. Women had the same rights as men to be involved in privatization and become shareholders.

Article 3

16. Until the Department for the Advancement of Women became operational, the Ministry of Social Security would be the main body responsible for the implementation of the national programme of action. Non-governmental organizations disseminated information on human rights and fundamental freedoms, provided assistance to refugees and to the most vulnerable segments of the population and served as advocates for improved social and working conditions for women.

Article 4

17. A national policy on affirmative action had not yet been developed. The benchmarks and timetable were under consideration in various ministries. Resources would be allocated bearing in mind the overall economic situation in the country and the level of existing resources.

18. The Government recognized that it must review its policy regarding the position of women in society. Training programmes were being developed to promote the participation of women in parliamentary and local elections, bearing

in mind in particular their low representation in the recent local elections. Non-governmental organizations, in cooperation with international organizations, planned seminars to familiarize women with the functioning of political parties in developed democracies and promote their participation in elections.

Article 5

19. Mr. AVAKIAN (Armenia) said that the current Penal Code did not cover domestic violence. The new code would cover that issue and other matters which had been considered taboo in the past.

20. Ms. AGHADJANIAN (Armenia) said that very few victims reported domestic violence, possibly because it had not previously been an issue and also because of the absence of specially trained female personnel. Similarly, no cases of incest had been reported. Although no measures had yet been taken to combat domestic violence, the Government, in cooperation with the International Centre for Crime Prevention, would be assessing the relevant data and a new training programme for law enforcement officers included a special section on the problem.

21. Armenian women were highly educated. However, during the years of crisis, women's priority had been the survival of their family, while men had taken any work they could find to support the family. With the improvement in the overall situation, women were returning to work and to public life. Under the previous regime, a greater number of women had occupied senior decision-making positions because of the quota system. There were currently fewer women in such positions, which reflected the world-wide situation of under-representation of women at the decision-making level.

22. More detailed information would be given on under-age marriages in future reports as no precise statistics were currently available. However, pregnancies did have a negative impact on a woman's physical and mental health. The current Criminal Code stipulated punishment, both for forcing a woman to marry against her will and for creating obstacles to prevent a woman from marrying in accordance with her free choice.

23. The vast majority of non-governmental organizations promoted the equality of women and men, and gender issues were high on their agendas.

Article 6

24. Although the Criminal Code established a fine for operating a brothel, it contained no provisions regarding prostitution. In the absence of either statistics or comparative research, it was impossible to answer some of the Committee's questions. It was hoped to address the issue in future reports as a new Criminal Code was under consideration which contained provisions regarding prostitution and trafficking in women. The public had a negative attitude towards both prostitutes and their clients. Currently, if a prostitute was subject to police violence she would bring the case to court on the same basis as any other person. Some refugees were prostitutes, but again, no precise data existed.

Article 7

25. The dramatic decrease in the number of women members of parliament was due to the elimination of quotas; under the previous regime, thirty per cent of members had to be women. However, although there was no specific policy to promote women to senior decision-making positions, women were becoming more active in politics and the number of women members of parliament should increase in coming elections.

Article 8

26. Government officials were recruited through vacancy announcements and the same criteria applied to both women and men. Although there was no specific equal opportunities policy, 35 per cent of diplomats in the Ministry of Foreign Affairs were women and also 30 per cent of those posted abroad.

Article 9

27. Mr. AVAKIAN (Armenia), clarifying the confusion concerning the nationality of children, said that both parents could designate a child's nationality by written agreement. If they disagreed, Armenian nationality automatically was conferred on a child who otherwise would be stateless. Children were deemed nationals of Armenia if they were born there or if both their parents were permanent residents there.

Article 10

28. Ms. AGHADJANIAN (Armenia) said that school education was mandatory and free of charge and that the drop-out rate was near zero. No reduction in the number of girls at any level of education had been observed. At the university level there were no women rectors in State universities, although 44.7 per cent of the professors were women; overall, 18 per cent of faculty deans were women. Forty-one per cent of law students and 54 per cent of social science students were women. The high number of women teachers at the primary and secondary level was a legacy of the previous regime; that stereotyping might change with the evolution of society.

29. Women constituted 69 per cent of doctors and also the vast majority of nurses. The appointment of a female judge to the Constitutional Court had not been a political decision; she had previously been a Supreme Court judge. The improved economic situation should bring improvements in the career possibilities for professional women.

Article 11

30. There was currently no legislative framework for the informal sector. Women did participate in trade unions, and the problem of unemployment was being resolved within the broad context of economic reform and the opening up of the market to foreign investment. The Government had developed an investment promotion and employment generation programme with special emphasis on micro- and small enterprises and the establishment of business centres at the regional

and municipal levels; the programme would also benefit women entrepreneurs, internally displaced persons and refugees.

31. Young people had gone abroad to pursue studies not available locally under the previous regime; they included studies in international law, political science and banking management.

Article 12

32. Childcare facilities were not mandatory in the workplace; they were the responsibility of local and district authorities. The Labour Code protected the right to work of pregnant women, nursing mothers and women with children under one year of age and stipulated certain types of work they should not do, with a view to protecting their health. A woman's employer was responsible for paying maternity leave, and men, although eligible for paternity leave, rarely made use of the right.

33. The new Constitution stated that every citizen was entitled to health protection and the Government was currently responsible for health services, although strategies for the development of private medical services were under discussion. The concept of health insurance was very new and the main concern was to guarantee access to adequate medical care for the most vulnerable population groups. The health care system was based on the principle of universal coverage and there were both central regional hospitals and rural hospitals and polyclinics for the rural population. Although 13.5 per cent of the Government's budget was allocated to health care, the actual amount involved was relatively low as the total budget was very small. No special allocation had been envisaged for the four areas of concern relating to maternal health, described in paragraph 73 of the corrigendum (CEDAW/C/ARM/1/Corr.1).

34. Abortion was the primary means of birth control and a cause of secondary infertility. The stipulation that abortion was legally permitted only up to the fourteenth week of pregnancy was dictated by concern for the health of the woman and should not be considered restrictive. Contraceptives were free at the Centre for the Reproductive Health of Women, which also provided testing and counselling. In 1996, the World Health Organization (WHO) and the United Nations Population Fund, in cooperation with the Ministry of Health, launched a major three-year programme to provide testing and birth control counselling. There were no statistics on teenage pregnancies.

35. Testing for AIDS had been available only since 1995, in which time 21 cases had been identified. Anaemia had increased between 1989 and 1993. Unfortunately, no statistics were available on a sex-disaggregated basis for individual diseases, and no research had been carried out on work-related diseases since Soviet times. There was no current research on the mental health of women.

36. Alcoholism had never been an issue of concern to Armenian society. Drug addiction was a new phenomenon, but articles 229 and 230 of the Criminal Code provided for punishment in the case of drug-related crimes.

Article 14

37. Mr. AVAKIAN (Armenia) said that under the Constitution and the Civil Code women and men enjoyed equal rights to bequeath or inherit property.

Article 16

38. Under article 32 of the Constitution, women and men enjoyed equal rights during marriage and in the event of divorce. The Marriage and Family Code stipulated that either the husband or the wife could sue for divorce. A husband could not unilaterally seek a divorce while his wife was pregnant and during the first year following delivery. During the period 1989-1994, 15 per cent of Armenian marriages had ended in divorce.

39. Ms. AGHADJANIAN (Armenia) said that Armenia had released all the prisoners of war and detainees listed by the International Committee of the Red Cross (ICRC). The country had received 418,000 refugees as a result of the conflict in Nagorny Karabakh. The 1995 law on citizenship granted refugees the right to obtain Armenian citizenship and, since 1994, Armenia had been implementing the PAROS humanitarian assistance programme, based on vulnerability assessment. Psychological rehabilitation centres had been established in areas with large concentrations of refugees, and health care for refugees was provided by the State health services. No data were available on cases of violence against the disabled and refugees, and it was hoped to address the issue in future reports.

40. Ms. SHALEV welcomed the intention to establish a department for women and stressed that it would need adequate resources.

41. Privatization of health services was not advisable inasmuch as it could increase costs and prejudice universal coverage. The report stated that land which was privatized was distributed to heads of households and that men and women had equal rights. It was unclear whether that meant that the woman in a male-headed household enjoyed 50 per cent of the right to the land. Likewise, in the case of privatized companies, it was not clear whether women had equal rights to be shareholders.

42. She accepted that Armenian was a gender-neutral language and that the Constitution was therefore gender-neutral, but warned that problems could arise because of gender blindness. She stressed that women's rights were the key to the development of society and that gender perspectives should be integrated into all policies. In the same way, the new Centre for Development and Human Rights should emphasize women's human rights.

43. Ms. ABAKA endorsed the previous speaker's misgivings about the privatization of health services. She commented that prohibiting pregnant women from carrying out certain functions could be construed as being overprotective and barring their access to certain employment opportunities.

44. Ms. JAVATE DE DIOS praised the decision to establish a Department for Advancement of Women in 1998 and said that the existence of such a body to oversee the introduction and implementation of laws and projects for women was

of the utmost importance. She suggested that some research was needed on domestic violence, particularly wife-beating, and incest.

45. She was concerned about the economic impact of privatization and its effect on the integration of women into the labour market. Foreign investment was a further cause for concern inasmuch as it could promote pornography and trafficking in women; hence the Committee would appreciate further information in that regard under article 6 of the Convention in future reports. In conclusion, she noted that the report tended to stress motherhood at the expense of the father's role in parenting.

46. Ms. LIN Shangzhen said she assumed that the reference in pa graph 18 of the corrigendum to the traditional family role of Armenian women plied not only to the most severe years of crisis but to Armenian life in general. The fact that husbands did not share family responsibilities was a major hindrance to women's participation in public life, and she requested information on how Armenian women viewed that situation.

47. Mr. AVAKIAN (Armenia) said that the privatization of land and industry were having a positive impact on life in Armenia. The Armenian Government's decisions relating to privatization did not discriminate against women. Women had the same right as men to acquire land or commercial property. In the case of spouses, both husbands and wives enjoyed the same rights with respect to movable and immovable property during their marriage. By not making any gender distinction, the Constitution laid the groundwork for future legislative reform that guaranteed the absence of discrimination between men and women.

48. While the Centre for Democracy and Human Rights dealt with the protection of women's rights, it did not stress them, since that was not the Centre's mandate. The establishment of a State department to deal with women's issues would more or less solve the problem. The establishment of such a department would be a new undertaking for Armenia, which would draw on the experience of other States.

49. During the Soviet period, domestic violence, prostitution, slavery and incest had been taboo subjects and therefore were not dealt with in any legal code. The new code would address those issues. Statistics on those problems would be provided in Armenia's next report.

50. Mr. ABELIAN (Armenia) said that Armenia's future reports would include more information and statistics. Armenia was currently experiencing the same difficulties as all other countries in transition, whose needs had been recognized by the international community only in the past year.

51. The CHAIRPERSON congratulated Armenia on ratifying the Convention promptly, less than two years after achieving independence, without entering any reservations, and commended it for submitting its report on time. She noted with satisfaction that Armenia was undertaking major economic and political reforms focusing on the mainstreaming of the gender perspective into national development policy. She hoped that the absence of explicit reference to the gender perspective in the Armenian Constitution would be addressed in a future reform. The fact that the Convention could be invoked in district courts and

the Supreme Court was appropriate, since that was a necessary means of addressing discriminatory practices.

52. It was gratifying that the Government of Armenia had established criminal courts that provided punishment for a wide range of sexual offences against women. She expressed concern at the absence of national machinery for the advancement of women. The Armenian Government needed to take practical measures to accelerate de facto equality between men and women.

53. The rise in the number of unemployed women in recent years was a worrisome trend, and she encouraged Armenia to repeal the law that prohibited women from working at night. She noted that not many women held positions in government or political parties, and she hoped that positive steps would be taken to address that situation. The lack of adequate family planning services and the prohibition of legal abortion were serious impediments to the full enjoyment of women's reproductive rights. Armenia should provide more information on domestic violence, rape, prostitution, trafficking in women, and statistics on women employed in the formal and informal sectors.

54. Mr. Abelian, Ms. Aghadjanian and Mr. Avakian (Armenia) withdrew.

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION (continued)
(CEDAW/C/1997/II/3/Add.3)

55. Ms. SIBAL (United Nations Educational, Scientific and Cultural Organization (UNESCO)), introducing the report of UNESCO (CEDAW/C/1997/II/3/Add.3), said that the overall work of UNESCO regarding women, girls and gender equality was guided by five resolutions that its General Conference had adopted in 1995, immediately following the Fourth World Conference on Women. Furthermore, there were 10 special projects focusing on the five priority areas that the General Conference had chosen from the twelve critical areas of concern defined in the Beijing Platform for Action. Those special projects dealt with women's and girls' access to various levels of education; women's use and management of water; women's access to science and technology; women's use of community radio and other means of communication; women's role in creating a culture of peace and managing social transformation; and other innovative projects.

56. Particular attention was being given to creating a UNESCO Web site on women, girls and gender equality, and a corresponding basic information kit addressed to the general public that presented the main lines of action of UNESCO in favour of women, girls and gender equality. Those endeavours would help "deghettoize" the women-girls-gender dimension of the work of UNESCO not only among the men and women of the Organization's staff but also among its partners at the country level. That approach would be tested in the preparation of two major UNESCO conferences, namely, the World Conference on Higher Education, 1998, and the World Science Conference, 1999.

57. Two events, scheduled for late 1997 and early 1998, could have a significant impact on gender mainstreaming in the fields of competence of UNESCO. The first was the preparation of an international campaign to promote women's and girls' right to education, to be launched in 1998 as a contribution to the celebration of the fiftieth anniversary of the Universal Declaration of

Human Rights. The second, much smaller in scale but just as important, concerned women's unpaid work, examined in terms of the areas of competence of UNESCO. In addition, the UNESCO Women and the Culture of Peace Programme explored gender-related factors that thwarted or enhanced the transition from the current "culture of violence" to a culture of peace. The immediate objective of the Programme was to counterbalance current socialization into rigid and stereotyped gender roles by developing methods of gender-sensitive, non-violent conflict resolution through a variety of activities.

58. Some members of the Committee had enquired about the role of men in efforts to implement the Convention at the country level, and she drew attention to an expert group meeting to be held in Oslo from 25 to 28 September 1997 on the topic of male roles and masculinities in the perspective of a culture of peace. The meeting would help broaden understanding of gender socialization in different cultural contexts and with a special focus on the socialization of boys and men. She hoped that the meeting would contribute to the holding of a world conference on men and power, which the Government of Luxembourg had proposed in the Committee a few days earlier.

59. UNESCO had a project entitled "A lifeline for Afghan women", which had been allowed to continue by the Taliban authorities. The project used a radio soap opera and a cartoon magazine to transmit key health and education messages to women and their families, who had suffered from nearly two decades of armed conflict.

60. The report described the efforts of UNESCO to promote the right of women and girls to education as a fundamental human right and key to development. Such efforts focused increasingly on the education of women and girls in rural communities. Bangladesh had been included, together with India, Nepal and Pakistan, in the Asia-Pacific Programme of Education for All (APPEAL), which conducted studies on the situation of literacy and basic education of girls and women. Namibia would be included in a project entitled "Scientific, technical and vocational education of girls in Africa". A national survey had been undertaken in Namibia to assess the underlying reasons for girls' and women's low participation in science.

61. The States parties reporting at the current session were all members of the International Hydrological Programme. The science sector of UNESCO under the framework of the three other intergovernmental programmes granted fellowships to young women scientists in order to facilitate their access to specific scientific fields of study, including marine science, ecology, geology and hydrology.

62. Ms. JAVATE DE DIOS requested additional information on the international campaign to promote women's and girls' right to education as a fundamental human right. The Committee's experts were prepared to make suggestions, either individually or as a group, concerning that campaign. The Committee had not had time to discuss Luxembourg's proposal to hold a conference on men and power, and she did not have a clear understanding of what that conference would be about. She would appreciate more information on the Asia-Pacific Programme of Education for All, and she enquired how the members of the Committee could become involved in the Programme.

63. Ms. CASTILLO commended UNESCO for its efforts to promote a culture of equality for women and girls. She requested more information on UNESCO projects in Latin America, especially in the Andean countries, and on how members of the Committee could strengthen their relationship with UNESCO.

64. Ms. BUSTELO GARCÍA DEL REAL said that the forthcoming expert group meeting on male roles and masculinities in the perspective of a culture of peace could be directly relevant to efforts to implement the Convention and requested that the conclusions of that meeting should be conveyed to the Committee. She also requested clarification regarding the relationship of women's unpaid work to the educational concerns of UNESCO and regarding the strengthening of UNESCO structures dealing with women's issues.

65. Ms. ABAKA welcomed the approach of UNESCO to women's and girls' right to education as a fundamental human right. With regard to science education for girls, she illustrated the importance of efforts at the national level with the example of Ghana's successful "Science clinics" programme, which was currently being decentralized and was in need of funding.

66. Ms. HARTONO asked if UNESCO had any plans or proposals for programmes to gender-sensitize boys and girls in the Association of South-East Asian Nations (ASEAN) region, and also asked what members of the Committee could do to participate in UNESCO programmes in their countries.

67. Ms. Yung Chung KIM requested more information about activities associated with the UNESCO "Women and the culture of peace" programme and suggested that the programme should be more broadly publicized.

68. Ms. SIBAL (UNESCO) said that the initiative to promote the culture of peace was central to the UNESCO mission and all its areas of operation. At the next session of the General Assembly, UNESCO would present elements for a declaration on the culture of peace, many of which would relate to the empowerment of women. Details of the specific projects associated with the project would be enumerated in a plan of action, and it was intended to proclaim the year 2000 as the international year for the culture of peace if there was the necessary support for that proposal.

69. Initiatives to promote the education of women and girls would form the core of UNESCO participation in activities marking the fiftieth anniversary of the Universal Declaration of Human Rights. In that regard, she said that UNESCO project funding was available for such national projects and initiatives as the "science clinics" in Ghana.

70. Ms. CORTI, referring to the suggested world conference on men and power, said that the search for ways to share power with men might be a more interesting and useful theme for such a conference and urged that more research should be done on that question before steps were taken to organize such a conference.

71. Ms. SIBAL (UNESCO) said that, while UNESCO was not itself in a position to organize a new world conference on the topic, she noted the suggestion with

interest and reiterated the organization's willingness to undertake research on any question of interest to the Committee.

72. The CHAIRPERSON thanked the representative of UNESCO on behalf of the Committee for her presentation and for the commitment of UNESCO to the advancement of women as reflected by its programmes in support of article 10 of the Convention. Citing the Committee's concern about stereotyped roles for men and women, which were perpetuated by gender-biased educational systems, and about women's access to education in order to attain the highest standards of physical and mental health, she urged UNESCO to continue to emphasize those issues in its forthcoming programmes. The forums on education being organized by UNESCO would contribute to the attainment of the Committee's goals, especially if they incorporated a gender perspective and dealt with problem areas. The Committee was especially interested in such issues as women's unpaid work and their access to education, as the education of women directly affected the transition from a culture of violence to a culture of peace. She expressed interest in the forthcoming expert meeting on male roles and masculinities in the perspective of a culture of peace, and requested UNESCO to consider sponsoring at least two experts from the Committee to attend that meeting. Lastly, she welcomed the intention of UNESCO to make specific proposals for increasing cooperation with the Committee.

The meeting rose at 5.55 p.m.

UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.350
3 April 1998

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Seventeenth session

SUMMARY RECORD OF THE 350th MEETING

Held at Headquarters, New York,
on Thursday, 17 July 1997, at 10.30 a.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Combined initial and second periodic reports of Israel

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Office of Conference and Support Services, room DC2-750, 2 United Nations Plaza.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

97-81708 (E) 080698

/...

The meeting was called to order at 10.55 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Combined initial and second periodic reports of Israel (CEDAW/C/ISR/1-2)

1. At the invitation of the Chairperson, Ms. Arad and Ms. Halperin-Kaddari (Israel) took places at the Committee table.

2. Ms. ARAD (Israel), introducing Israel's combined initial and second reports, said that her country had attached great importance to the status of women since its early days. A constitutional and normative infrastructure had been established, with a continuous process of legislation and development of implementation mechanisms, all of which applied equally to Jewish and Arab women. The two goals were to secure the status and rights of women and to educate society in the normative values of equality of the sexes. Israel's ratification of the Convention was a natural expression of its commitment in that regard.

3. Israel recognized the importance of a proactive stance, particularly in a country characterized by such cultural, socioeconomic, religious and ethnic diversity. That was of particular importance in what was a time of rapid transformation and dynamic change.

4. Comprehensive reporting to the Committee, in accordance with its guidelines, was an important tool for the advancement of women's rights. The report was frank, expressing a readiness to engage in constructive dialogue. The reporting process in itself had been beneficial in that it had led to the accumulation of statistical data, and had promoted institutional awareness of women's concerns. Non-governmental organizations had been given an opportunity to comment on the report, and had provided invaluable feedback. Shadow reports prepared by non-governmental organizations had promoted further investigation, in what was expected to be a new and ongoing dialogue.

5. Israel had made encouraging progress in such basic areas as life expectancy, mortality, literacy and marital age. There had also been significant progress on a more complex level, so that, for example, more women received advanced education and participated in the workforce, and new legislation continued to promote the status of women. Such trends indicated a transformation in social values and a growing awareness of women's needs.

6. The definition of discrimination against women and the concept of equality of the sexes articulated by the Israeli legal system conformed with the Convention. There was a substantive perception of equality, with recognition of the usefulness of affirmative action, now being extended in the private and public sectors, comprehensive legislation to accommodate maternal needs, removal of limitations on women's participation in the workforce, and recognition of the need to support the family unit as a whole, with greater involvement of fathers in childrearing. There was also emerging legislation to protect women in the

family, with regard to such areas as domestic violence and distribution of marital property.

7. Legislative developments over the past decade had played an important role in advancing the status of women, partly in terms of educating the public with regard to the special normative forms adopted for women. Other legislation was currently in preparation, particularly on sexual harassment, an issue of growing interest, as evidenced by a survey at one university according to which a high percentage of female students had experienced sexual harassment.

8. In addition to normative formulation, other government initiatives included such national mechanisms as the Prime Minister's Advisor on the Status of Women and the Knesset Committee for the Advancement of the Status of Women. There was also the system of labour courts and the Public Complaints Commissioner. The Ministry of Justice offered legal advice and representation in civil matters to facilitate legal recourse. The legal aid machinery was particularly effective in providing representation in cases of family violence, which comprised the largest category of cases handled, with women accounting for 80 per cent of applicants.

9. Ms. HALPERIN-KADDARI (Israel) said that education was a key factor in changing gender roles. Illiteracy had been almost eliminated among Jewish women, among whom there was an overall rate of 5.8 per cent, and had significantly diminished among Arab women. In the 15 to 17 age group, only 0.1 per cent of Jewish women, and only 2 per cent of Arab women, had had no schooling. Women's enrolment in universities had also increased significantly over the past decade, and 55 per cent of all graduates in 1995 had been women. Those encouraging data reflected a revolution in the Ministry of Education and the outcome of measures begun in the 1980s to promote the advancement of women. In particular, the Ministry had made efforts to encourage girls to study in technological schools, had established criteria to eliminate gender stereotypes, had created family and sex education programmes, and, in 1995, had established the Office of the Supervisor on Equality of the Sexes. All those programmes had also been implemented within the Arab school system.

10. With regard to health care, basic parameters indicated a steady improvement among all population groups, with a decline in infant and maternal mortality rates as well as birth and fertility rates. Life expectancy for women had risen, and now stood at 79.2 years for Jewish women and 76.3 years for Arab women.

11. The 1994 National Health Insurance Law and 1996 Patient's Rights Law had established universal and equal rights to health-care services by obliging health providers to accept all applicants as members, a measure which had particularly improved the situation of Arab and Bedouin women. Considerable efforts had been made to close gaps in health care between different populations.

12. Following the Fourth World Conference on Women, efforts had been made to focus on women's health and health needs, although the new insurance legislation did not cover contraception or abortion on the ground of extramarital pregnancy.

13. Reproductive health and infant care received considerable attention, with high quality, inexpensive clinics, including for in vitro fertilization. There was, however, some concern that too many resources had been directed towards fertility services at the expense of other areas, and that the liberal funding of fertility treatments indicated pro-natalist social attitudes impacting on reproductive autonomy.

14. Penal legislation allowed abortions only when approved by a designated committee in specific circumstances, where, for example, there was health considerations, or problematic relationships such as extramarital relations, which constituted the most common ground for approval. The number of illegal abortions performed had risen significantly following the recent wave of immigration from the former Soviet Union. Criminal sanctions, which applied only to doctors and not to patients, were rarely enforced in practice.

15. Breast cancer was an area of particular concern, and had become the leading cause of death among Israeli women in the 22 to 55 age group. According to a 1985 study, Jewish women had one of the highest rates in the world.

16. With regard to women and employment, women's participation in the workforce had reached 45.5 per cent in 1995. A major difference between women's and men's participation was the highest percentage of women working part-time, which had an effect on their salary levels and job security. Data from the Central Bureau of Statistics also supported the impression that certain fields were seen as male (manufacturing, transport, construction, agriculture), and others female (education, welfare, social services). The "glass ceiling" existed in the Israeli job market as well; less than 20 per cent of management positions were filled by women. Those factors in addition to simple gender discrimination contributed to salary gaps between men and women: in 1994, women's average monthly income had been approximately 55 per cent of men's. Close to 70 per cent of those earning less than the minimum wage were women. It remained to be seen whether recent legislation on equal pay would have any effect on that situation.

17. Childcare and vocational training for women were under the Ministry of Labour and Welfare, which had established a special Unit for the Advancement of Women and Girls in 1996. It had created special programmes and courses to meet the needs of Arab and Bedouin women, new immigrants from Ethiopia and the former Soviet Union, and ultra-Orthodox Jewish women. Childcare services were provided by both public and private organizations.

18. An important aspect of the issue of employment was workforce participation among Arab women. Their participation was affected by certain social processes within Arab society, where married women enjoyed a lesser degree of independence, their proximity to employment centres and knowledge of Hebrew, their educational level and the employment status of their husbands. Despite steady increases since the 1960s, their 17 per cent rate of workforce participation was still considerably lower than that of Jewish women. In recent years, however, more Arab women had been filling positions requiring a high-school education, such as teaching.

19. Women's involvement in national economic life was still quite limited, although legislation had been proposed to improve the situation. Small business was the major channel through which women entered the Israeli economy, and there were programmes and courses to promote their participation.

20. Maternity insurance covered hospitalization for childbirth and provided a cash grant to every woman who gave birth. It also provided for 12 weeks of leave at full pay for employed women. Under the system of alimony payments, the National Insurance Institute would pay alimony orders on the request of the creditor, guaranteeing a minimum payment even when the debtor defaulted on his obligations. That benefit was of great importance to single-parent families headed by women, which were traditionally among the most vulnerable to poverty. There was no general trend towards feminization of poverty, however.

21. Ms. HALPERIN-KADDARI (Israel) said that Israeli society was very family-oriented as evidenced by the fact that 98 per cent of 60-year-olds had at some point been married. On the other hand, the average age of marriage for both Jewish and Moslem women had risen steadily since the 1970s, to 25.1 for Jewish women and 21.3 for Moslems. The average marriage age for Druze women had also risen but remained below 21 years. In addition, divorce rates had been rising. The minimum age for marriage for all women had been set at 17; no minimum age had been set for men. Polygamy was prohibited, as was forcing a divorce on a woman without a judicial decree. Non-marital cohabitation, known as domestic partnership, was accorded broad recognition in such areas as pension and social security benefits and community property.

22. Child custody was governed by the best interests of the child and parents had equal rights and responsibilities in that area. Property distribution in cases of marital breakdown was governed solely by civil law. With regard to inheritance rights, women and men received equal treatment.

23. After a recent legal reform, a woman no longer automatically took her husband's name upon marriage; both spouses must indicate their choice of surname to the marriage registrar. Israel had been the first State to regulate and sanction surrogate motherhood, with the prior approval of a surrogacy contract by a seven-member committee.

24. Ms. ARAD (Israel) said, with regard to violence against women, that progress had been made both in legislation and on the level of the authorities dealing directly with victims. Recent reforms to the 1997 Penal Law had broadened the definitions of sexual assault and rape, and a mechanism for protection against an abusive family member had been introduced. At every police station a special officer was assigned to domestic violence cases, and all police officers received special training in handling domestic violence and sexual assault cases. Unfortunately, the judiciary had not yet shown increased awareness in that area; in over a third of cases involving sexual violence, no prison term was imposed. Many treatment services and programmes for victims of such violence, including shelters, hotlines and prevention centres, were available.

25. There were no official statistics regarding the extent of prostitution and traffic in women in Israel, but the general sense was that it was becoming more

prevalent. Prostitution itself was not a crime, but clients or sponsors of prostitution were subject to criminal prosecution.

26. Ms. HALPERIN-KADDARI (Israel) said that special attention had been given to the needs of certain distinct groups of women within society: Bedouin women, immigrants from the former Soviet Union, and Ethiopian immigrants. Bedouin society was highly traditional and patriarchal, with fixed gender roles. Modernization, however, had weakened the traditional status of women, taking away their traditional role without offering a replacement. Education was crucial to overcoming the obstacles to Bedouin women, yet only 30 per cent of all Bedouin students completed high school. Some change was beginning to occur, however; a survey of Bedouin mothers had revealed that most would like to see their daughters finish high school and become teachers, instead of returning to their traditional domestic roles. On the other hand, many of the women immigrants from the former Soviet Union were well educated, but also faced the burdens of single parenthood. Special vocational training courses to meet their needs had helped their employment rate to double in the past year to almost 50 per cent two years after immigration. Ethiopian immigrants faced the culture shock of moving from a rural, agrarian society to mostly urban Israel. Many of those women also lacked formal education, so most vocational training concentrated first on basic literacy and arithmetic. The employment data thus far were not encouraging, and more resources must be allocated to that task.

27. The position of women with respect to the Israeli media was somewhat inconsistent. Although the number of women employed in the media and the number of programmes addressing women's issues were on the rise, the portrayal of women was still usually limited to stereotypes, and depictions of women as victims or sex objects were common in the print media. However, two media campaigns were under way: one to raise awareness and increase financial aid for the help centres and one to combat domestic violence against women.

28. Ms. ARAD (Israel) said that attitudes towards mandatory affirmative action in political life were changing, as shown by the fact that three major political parties had secured places for women on their lists of candidates to the Knesset. Little progress had been made in the advancement of women in national politics, but slow progress was being made at the local level: there were three women heads of municipalities and local councils, and women made up 11 per cent of local council members. Gradual improvements were also being made at the senior government level: one woman served as a government minister, three women served as directors-general of government ministries and the State Comptroller, State Attorney and head of the Government Companies Authority were women. Women constituted 40 per cent of the judiciary; three of the 14 Supreme Court justices were women, six of the eight district attorneys were women and the number of women lawyers in the Ministry of Justice was more than double that of men.

29. Affirmative action, which had gained greater acceptance, had already had an impact on the gender balance in boards of directors of government corporations and in the civil service, though progress in the latter had been uneven, as noted in the report. The percentage of military jobs open to women had more than doubled in the past 20 years, reaching 70 per cent in 1996. Although women were currently excluded from combat positions, that situation could change once the first women pilots had completed their training. The "glass ceiling"

phenomenon was clearly in evidence among career officers, as women took longer than men to be promoted through the ranks.

30. For further details on the legislative measures taken to promote women's advancement, the Committee members could consult the legislative supplement distributed to them at the beginning of the meeting, which contained the texts of some of the legislation referred to in the report.

31. Ms. OUEDRAOGO said that the involvement of all relevant institutions and departments and of non-governmental organizations in the preparation of Israel's frank and detailed report, and its mass distribution, should serve as an example to other States parties and that the reporting process should provide an opportunity to bring the situation of women to the attention of the public.

32. She was concerned to note that the progress achieved in Israel had primarily benefited Jewish women and that Arab women enjoyed far less equality of opportunity in terms of education, health and income level. Moreover, the country lacked an overall policy on equality of the sexes to ensure the continuity of short-, medium- and long-term actions. The legislative reforms undertaken were welcome, and had led to a high degree of de jure equality in Israel, but steps were needed to ensure that such measures applied equally to Jewish and Arab women.

33. Ms. HARTONO asked for more information on the structure of the Israeli legal system and on whether it was based on Jewish religious traditions or modern systems. She wondered whether, in the absence of a written constitution, the legal system acted as an umbrella that covered the various religious laws. She also requested clarification of the position of minorities, and specifically asked whether Palestinian women were regarded as Israeli citizens, foreigners, immigrants or refugees.

34. Since the judicial institutions of the different religious communities in Israel all had jurisdiction in matters of personal status, she wondered which court had jurisdiction over mixed marriages, if such marriages were allowed, and whether there were conflicts of laws in cases involving different religions or ethnic groups. She also asked whether women could adopt children.

35. Since the Basic Law: Human Dignity and Liberty contained a provision indicating that it could not affect the validity of any law in force prior to the commencement of the Basic Law, she asked what legal force it had, how it differed from other laws and whether it was intended only as a guideline for future laws. She also asked what authority had the power to render a Basic Law or other law inapplicable. With respect to article 8 of the 1951 Women's Equal Rights Law, which provided that a husband's dissolution of marriage against the will of his wife was a felony punishable by up to five years' imprisonment, she asked whether that provision referred to talaq (repudiation) in the Islamic religion and how it was enforced in practice, especially by the religious courts.

36. Ms. GONZALEZ asked whether, since Israel's Declaration of Independence stipulated that the State would maintain equal social and political rights for all citizens irrespective of sex, any consideration had been given to the

inclusion of the principle of equality of the sexes in the Basic Law: Human Dignity and Liberty, especially since the 1951 Women's Equal Rights Law lacked constitutional force. The report indicated that the Supreme Court was responsible for developing an "unwritten bill of rights", but also that Knesset legislation which contradicted its case law could prevail. She therefore wondered whether the Supreme Court had the power to invalidate rights established by its own case law.

37. She was puzzled by the report's indication that it was unclear whether constitutional rights and norms applied equally to relationships between individuals and to relationships between the Government and individuals. Discrimination against women, regardless of who practised it, was a violation of fundamental human rights. With respect to the statement that the protection of the right to equality and non-discrimination in the private sphere depended on the specific balance between that right and the weight of the rights that might be understood to oppose it, she asked which rights fell into the latter category.

38. Ms. FERRER asked why the right to equality was not specifically mentioned in any of Israel's Basic Laws. That omission was particularly puzzling in the case of the Basic Law: Human Dignity and Liberty, which had been adopted after the Israeli Government had signed the Convention. She wondered whether Israel had considered promulgating a basic law to eliminate discrimination against women or including provisions to that effect in a future or existing basic law. Since ordinary laws establishing equality of rights could be invalidated by future laws, she asked how compliance with the Convention could be guaranteed. She also asked whether any specific efforts were under way to publicize the Convention, especially among judges, prosecutors, lawyers and public officials, and whether it had been translated into Hebrew.

39. The deteriorating economic situation of certain population groups, especially in rural areas and villages, was disturbing. She asked whether the Government had considered adopting economic and social development programmes to address the problem of rising poverty and declining social benefits and services in some territories. The Beijing Platform for Action specifically referred to poverty-eradication efforts, but Israel's report made no mention of its implementation of the agreements reached at the Fourth World Conference on Women. She wondered whether any national plan had been adopted to that effect.

40. She wanted more information on compliance with the Convention with respect to Palestinian women in the occupied territories. The international community was aware of Israel's constant violations of their human rights; in fact, the General Assembly had just adopted a resolution emphasizing the responsibilities arising from Israel's persistent violations and grave breaches of the Geneva Convention relative to the Protection of Civilian Persons in Time of War. She was concerned about the effects of that situation on women, especially since conditions had worsened as a result of the proliferation of Israeli settlements in the occupied Palestinian territories. Non-governmental organizations had reported cases of violence against Palestinian women in Jerusalem, the closure of areas where they resided, the seizure of Palestinian land and the maltreatment of Palestinian children. The Convention could not be fully implemented in the absence of stability, which could not be achieved in occupied

Palestine as long as Israel continued to violate the peace agreements by building new settlements, inter alia in East Jerusalem.

41. Ms. JAVATE DE DIOS said that the Israeli Government had shown political will in establishing a full legal regime of respect for women's human rights and gender equality. However, the Committee remained concerned about the Israeli Government's reservation to article 16, and the fact that the Convention was not specifically embodied in the Basic Laws.

42. She requested further information on immigrants from the former Soviet Union and on Arab and Bedouin women. More information was also needed on the role of women in peace-building and conflict resolution. That was a strategic issue, because laws could not be fully implemented unless there was an environment of peace and stability.

43. Ms. SINEGIORGIS said that, from her own experience representing her Government in Israel, she could endorse the comments made by the representatives of Israel about the situation of Ethiopian women in Israel; at the same time, she hoped that efforts would be intensified to assist Ethiopian women, who were the most disadvantaged of all immigrants.

44. It was clear that much needed to be done to overcome the gap between Jewish and Arab women in Israel; with legislation, hard work and good will, that situation could be changed.

45. Ms. TALLAWY asked for information about the Israeli Government's view of the criticisms of the combined initial and second periodic reports by non-governmental organizations. The report made no mention of the situation of Palestinian women. It referred to discrepancies in the levels of resources allocated to Jewish and Arab communities. She asked whether there were similar discrepancies in the resources allocated to schools.

46. Non-governmental organizations had also drawn attention to the contradiction in the Declaration of Independence between the principle that Israel was a Jewish State and the principle of equality between all citizens without distinction. Furthermore, legislation passed by the Knesset since 1992, including the basic law on human dignity and liberty did not include provisions for the protection of minorities.

47. She requested information on the effect of the presence of a right-wing Government on the situation of women in Israel, and the impact of religious fundamentalism, and asked what measures were being taken by the Israeli Government to eliminate discrimination against Jewish immigrant women, including Ethiopian women.

48. Information was also needed about the situation of women in the occupied Arab territories in the light of the suspension of the peace process; press reports indicated that the Convention and other human rights instruments were being violated in those territories.

49. It was to he hoped that all women in the Middle East, Jewish and Arab, Moslem and Christian, would achieve peace and lasting prosperity.

Article 2

50. Ms. Yung Chung KIM said that it was indicated in the report that the Prime Minister's Advisor on the Status of Women did not have a separate budget; without that independence, it was very difficult for the Advisor to perform her tasks. She asked whether there was any possibility that provision for an independent budget would be made in the National Authority Bill. The Women's Councils and Advisors at the municipal level faced the same problem.

51. She asked why many of the offices in Israel were called "authorities" and whether that terminology had any particular significance.

52. It was encouraging that the Knesset Committee for the Advancement of the Status of Women was a permanent (standing) Knesset committee. She noted, however, that 8 of the 15 members were men, and that, apart from the 7 women members of the committee, there were only two other women in the Knesset. It was impressive that the committee had facilitated the passage of over 40 legislative measures since its establishment. She asked why there was no mention of the Knesset Committee for the Advancement of the Status of Women in the list of committees on which the nine women in the current Knesset served (p. 101 of the report).

53. Ms. OUEDRAOGO said that it was commendable that advisors on the advancement of women were working at the level of municipalities; that decentralized approach should be continued, because it allowed the direct involvement of women.

54. She asked whether the Division for Employment and Status of Women in the Labour Ministry was responsible for coordination, and what its status and political rank were. The many women's organizations listed in the report should lobby for the Division to be upgraded to a Ministry, with a plan of action, a global policy, and clear objectives to ensure sustained action. She was concerned that the Division was attached to the Labour Ministry; although employment was a matter of priority, the Convention focused on equal opportunities in all areas. She asked what link there was between the Commission on the Status of Women and the Division.

55. It was disturbing that many of the women's networks were working on a voluntary basis; the women's movements should lobby to consolidate the progress made and continue to work towards the objectives.

The meeting rose at 1 p.m.

UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.351
3 April 1998

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Seventeenth session

SUMMARY RECORD OF THE 351st MEETING

Held at Headquarters, New York,
on Thursday, 17 July 1997, at 3 p.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

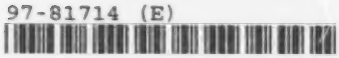
Initial and second periodic reports of Israel (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Office of Conference and Support Services, room DC2-750, 2 United Nations Plaza.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

97-81714 (E)



The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial and second periodic reports of Israel (continued) (CEDAW/C/ISR/1-2)

1. At the invitation of the Chairperson, Ms. Arad and Ms. Halperin-Kaddari (Israel) took places at the Committee table.

Article 2 (continued)

2. Ms. GONZALEZ asked if the Convention had been translated into and disseminated in Hebrew and other languages, what measures had been taken to disseminate awareness of the Convention among the illiterate, and whether laws and practices discriminating against women continued to exist. She also asked for the Government's views on the reasons for the relatively low number of cases of violations of women's rights brought before the courts and what measures it contemplated to ensure that women were aware of their rights under the Convention. Finally, she requested further information on the Family Court Law, 1995, referred to on page 33.

3. Ms. FERRER wondered whether the basic laws of Israel guaranteed protection of women in minority populations, and whether there were plans to implement gender-based programmes in the occupied territories.

4. Ms. AOUIJ noted that while the principle of equality was upheld in Israeli law, the Israeli Supreme Court had given greater force to religious practices in cases where they conflicted with that principle. Moreover, Arab and Palestinian women were disadvantageously classified as belonging to ethnic and religious minorities and not national minorities, and she requested more information on those women and on Government efforts to protect them. Finally, she asked about the extent to which Palestinian non-governmental organizations had been consulted in the preparation of the report.

5. Ms. BUSTELO GARCÍA DEL REAL said that she regretted the report's lack of information regarding Government plans to achieve equal opportunities for men and women and would like to see the Government withdraw the two major reservations it had made in ratifying the Convention.

6. Ms. CARTWRIGHT requested confirmation that the prohibition of intended or effective discrimination against women had been upheld in Israeli courts, and asked if those courts acknowledged the supremacy of international law, as for example in implementing the Convention. She noted the contradiction between the promise of equality for women under the Basic Laws and the current failure of the court system to deliver that equality, as exemplified by the Government's reservation to article 16 of the Convention and its maintenance of religious courts. In view of the critical importance of having the principle of equality permeate all levels of Israeli society, she urged the Government to remove the

restrictions on women imposed by religious courts and to withdraw its reservation to article 16 of the Convention.

Article 3

7. Ms. FERRER asked for further information on the plans to establish national machinery for the advancement of women.

8. Ms. Yung Chung KIM asked for information regarding the extent of cooperation between Jewish and Arab women's organizations.

Articles 4 and 5

9. Ms. ACAR, after stressing the Government's obligation to modify social and cultural conduct in order to eliminate harmful stereotypes, urged it to take more active measures to eliminate the culturally based disadvantages suffered by Arab and Palestinian women, and said that she would appreciate more information regarding recent changes in Israeli public opinion on affirmative action.

Article 5

10. Ms. AOUIJ said that the report had been particularly thorough in its treatment of the subject of violence against women. The Government and non-governmental organizations should continue to exercise maximum vigilance against such crimes.

11. Ms. GONZALEZ noted the report's thorough treatment of violence against women, and asked whether all women, regardless of their ethnic group, were protected to the same degree and were being provided with the same guidance and education regarding violence against women. She also requested information on the promotion of shared household responsibilities for couples, the incidence of sexual violence in various groups in the society, the nature of penalties for violence against family members and for sexual violence, and the computerized distribution of pornography. Finally, she asked whether penalties existed for marital rape or sodomy, and whether the laws recognized that women also were capable of committing sexual abuse and violence.

12. Ms. JAVATE DE DIOS, after commending the report's thorough treatment of women in the media, asked if programmes existed to employ the media in the reorientation of social attitudes. Expressing concern about the high levels of violence against women reflected in the report, she urged the Government to look into the root causes of the phenomenon. She requested further information regarding the content and extent of community-based initiatives to combat violence against women, how police were trained to deal with such violence, whether the privacy of victims was assured, and how the perpetrators were sentenced. She noted an inequality of access to services for victims of violence in minority communities, and asked for more information on possible connections between the resurgence of religious fundamentalism and the increase in incidents of harassment of women.

13. Ms. CASTILLO requested more information about programmes to eliminate stereotypes prevalent among religious groups, and asked whether the Government

had the political will to draw a clear distinction between political and religious authority, especially in cases where such stereotypes and customs were most harmful to women.

14. The Committee had learned from non-governmental sources that some 400,000 Palestinian women lived in Israel in very difficult circumstances. She wished to know what action the Government was taking to integrate them in the development of Israeli society. She also would appreciate a clear explanation as to why those minority women were referred to as "Palestinians".

15. The CHAIRPERSON expressed considerable concern that, owing to religious considerations, the right to equality was not incorporated in the Basic Laws of Israel and that equal rights were guaranteed in public spheres, but not in private matters.

16. It was unacceptable to base a legal system on the religious, cultural or traditional practices of any ethnic group within a country. Information provided by non-governmental organizations indicated that polygamy, female genital mutilation and honour killings were practised by certain minorities in Israel and she requested details, including statistics.

17. Ms. TALLAWY asked what the Israeli Government was doing to halt commerce in pornographic movies and videos, which contributed to violence against women.

Article 6

18. Ms. CORTI enquired whether traffickers who operated in Israel recruited Russian immigrants to work as prostitutes. She wished to know how the Government dealt with traffickers.

19. Ms. JAVATE DE DIOS noted that prostitution was increasing in Israel and that the enforcement of legislation to combat it was not as successful as was desired. It would be of interest to know which authorities determined what circumstances constituted offences that were interpreted as acts of prostitution. She enquired whether ordinances used to arrest women on grounds of prostitution served to restrict their civil liberties or led to political harassment, and whether clients of prostitutes also were penalized. She hoped that the next report would include data on trafficking in women and on health care and trauma treatment for prostitutes.

Article 7

20. Ms. CORTI expressed surprise that, given the fact that there were so many highly skilled and well-educated women in Israel, women were so clearly under-represented in the country's political life and in the civil service. She wondered whether women's under-representation in top civil service posts could be attributed in part to the lack of adequate facilities to assist mothers. She also wondered why there was no reference in the report to the participation of Palestinian women in political life.

21. Although she welcomed the Supreme Court's support for women's participation in the religious councils and government corporations, she believed that, when

justifying the use of affirmative action to combat the conspicuous inequality of women's representation in government corporations, the Court should have specifically invoked discrimination instead of merely claiming that "equality [was] an inherent attribute to a person's dignity" (sect. 10). Had the Court done so, it would have paved the way for legislation to combat discrimination.

22. She wished to know what action the Government was taking to combat discrimination against women in the military. She noted that policy had generally been to discourage and forbid women soldiers from serving in combat positions. In her view, such service could either be discouraged or forbidden, but not both.

23. She was pleased that progress was being made to confront and eliminate sexual harassment in the military. She would appreciate further information on the exemptions from military service available to women wishing to study in religious academies, as well as gender-disaggregated figures on such exemptions. Lastly, she wished to know whether Palestinian citizens of Israel participated in the military.

24. Ms. Yung Chung KIM recalled the key role which the political activism of women's peace groups had played in prompting the Israeli Government to take the peace initiative in 1993. She urged further cooperation between Israeli and Palestinian women in the cause of peace.

25. Ms. AOUIJ commended the women's non-governmental organizations in Israel which had played a major role in promoting the advancement of women in all fields, in particular, in the political life of the country, notwithstanding serious opposition from religious, radical and fundamentalist groups. The resumption of the peace process must be a priority for all.

26. Ms. TALLAWY hoped that the Israeli Government's next report would provide information on steps taken to guarantee the equitable participation of Palestinian women in society in proportion to their numbers. Resources should be provided, inter alia, to encourage women to participate in political life. The Israeli Government must take steps to ensure that fundamentalist groups, which opposed equal rights for women, did not undermine the democracy of which it was so proud.

27. Ms. BUSTELO GARCÍA DEL REAL said that she would appreciate additional information on the participation of women in political parties. She wondered why, since the parties appeared to have minimum quotas for women in electoral lists, they were not better represented in Parliament. She wished to know what women thought of the situation and whether there was a coordinated campaign to increase their participation in politics. Lastly, she enquired whether there was any relationship between the low representation of women in political life and their role in the army.

Article 8

28. Ms. ACAR said that the information which the Israeli representative had provided indicating that women were enjoying greater opportunities for advancement in the military gave her cause for concern, since it suggested the

greater militarization of women rather than a diminishing of the significance of their military experience vis-á-vis their upward mobility in public and political life. That in turn created a concomitant attitude in society. She wished to know how the increased integration of women into the military was viewed by women's, feminist and non-governmental organizations and the public at large.

Article 10

29. Ms. BARE asked whether the 1993 Ministry of Education programme to address gender stereotypes had changed the attitudes of teachers and students. She wondered whether there was a specific programme to educate Palestinian women, in particular girls, who might face discrimination because of their cultural values. She also wished to know if there was an equal opportunities programme to facilitate the promotion of women to executive positions as, according to the report, the higher the position in the educational institution, the lower the level of women's participation.

30. Ms. CORTI requested clarification of the statement on page 130 that independent "recognized" schools were non-profit organizations, financed by the Government, and asked whether the school programmes determined by the 1953 State Education Law, which emphasized Jewish culture and values, were imposed on Palestinian schools. Likewise, it would be useful to know whether it was the Knesset or the Ministry of Education which determined the content of State education programmes and whether it was the same for both Jews and Palestinians.

31. She asked whether the Government planned to allocate increased resources to education, as the current 8.5 per cent of the budget seemed rather low, and said that it was not clear whether Palestinian education was autonomous, who decided on the goals, curricula, teachers, programmes, content and budget and what the level of funding was compared to that for Jewish schools.

32. Ms. TALLAWY said she hoped that the next report would show the measures taken by the Government to address a situation in which 44 per cent of Palestinian girls did not complete primary education. The Government had a duty to encourage girls to continue their education. She expressed concern about the low percentage of women teachers at the university level and the fact that there was only one female Palestinian professor, even though several Palestinian women had doctorates. Lastly, she suggested that a preferential budget should be adopted with a view to decreasing the disparity in the level of education between Jewish and Palestinian schools.

33. The CHAIRPERSON said that she was disturbed by the highly segregated system for Arab and Palestinian women and by their very low level of performance. She asked how the foregoing factors affected their employment opportunities.

34. Education was a fundamental tool for changing cultural attitudes. She therefore hoped that, in future, Palestinian history and culture would be studied in Jewish schools, in the same way as Jewish history and culture were currently studied in Palestinian schools.

35. Additional information should be provided on the situation of education for Palestinians. There appeared to be serious discrepancies between the two systems which needed to be remedied. Moreover, no efforts had been made to change gender stereotyping in Palestinian textbooks and no grants existed to enable Palestinian women to continue their education.

Article 11

36. Ms. FERRER asked whether legal measures had been taken to enforce the law which established equal pay for equal work. Since 1995 a supervisor, trained in gender issues, had been in place in each Ministry. It would be interesting to know the results of their work. In the next report, it would also be useful to learn about the composition of the 34-person council under the Prime Minister's Adviser on the Status of Women and the achievements of the future Commissioner on Women's Affairs.

37. Ms. ACAR requested further information on women's contribution to the informal sector and any measures which were being taken to regulate the sector. Women who worked in the informal sector were particularly vulnerable and needed special protection. It was unclear whether the employment figures for Palestinian women took the informal sector into account.

38. Ms. CARTWRIGHT, noting that equal pay for equal work was limited to employees of one employer, enquired whether it foreshadowed a general trend to restrict certain measures to employees in one workplace.

39. Ms. BUSTELO GARCÍA DEL REAL wished to know whether women received their full salary during the mandatory 12-week maternity leave and said that she would welcome additional information on the rights of fathers and whether measures existed to encourage men to share childcare activities. It would be useful to carry out studies on the use of time by men and women and on unpaid work, in order to obtain information on the division of responsibilities.

40. She asked whether Israeli legislation combated indirect discrimination and why an apparently useful advisory committee attached to the Ministry of Labour had been eliminated. She would appreciate information on the situation of handicapped women in regard to education, employment and the social services and an explanation as to why a high percentage of men and women earned less than the minimum wage.

41. Ms. BERNARD, noting that a job evaluation was being carried out with a view to adjusting the pay of public servants, who were not allowed to strike, asked whether there were any provisions in the Israeli legislation allowing public servants to strike as a last recourse. She wondered why the number of women in part-time employment was increasing and whether it was due to inadequate childcare facilities.

42. The CHAIRPERSON highlighted the fact that, for cultural reasons, relatively few Palestinian women worked. She noted that both Jewish and non-Jewish women worked in the informal sector and enquired whether the minimum wage was applicable in that sector and whether the difference of approximately 55 per cent between men's and women's wages was reflected in it.

43. Ms. TALLAWY requested information about Israel's mechanisms for monitoring labour laws concerning social security and work conditions for women in general and Palestinians in particular. She wished to know whether there was a plan to create new job opportunities for Palestinian women and to recruit graduates of universities and academies for government service. She asked whether Israel planned to improve its kindergartens and day-care centres in order to encourage women to find gainful employment.

Article 12

44. Ms. ABAKA said that the new national health legislation was potentially a barrier to safe motherhood, as many of the services necessary for women's health were no longer funded under it. She referred specifically to pre- and post-natal care, abortion, contraceptives and treatment for osteoporosis. Emphasis was placed on child-bearing and excessive resources were dedicated to increasing fertility, while other areas of women's health and family planning were neglected by comparison.

45. She considered that the report tended to perpetuate discrimination against women and girls on cultural grounds. For example, the Government appeared to be abdicating its responsibility to ensure women's right to health when it stated that female circumcision was a normal cultural practice in parts of southern Israel. The Committee took a strong stand against female circumcision and hoped to learn in the next report that measures had been taken to eradicate the practice. Steps must also be taken to close the gap between towns in northern Israel and towns in the south or those inhabited by minorities.

46. She would appreciate further information on women's health in general, especially that of minority women. She would also like to know if there were any programmes to provide doctors and paramedical workers with information on human rights, especially in the case of women victims of violence.

47. Ms. CARTWRIGHT said that the resources currently used for fertility treatment could surely be better used on more basic medical services, such as primary preventive measures, especially for Palestinian women in rural areas. She also suggested that health services for the ageing should be reviewed, as extended periods of hospitalization were not covered by the basic basket of free health services.

48. Ms. TALLAWY said that there were 120 Palestinian communities that were not recognized by the Israeli Government. The tens of thousands of Palestinians living in those communities had no access to health services, and there was no infrastructure in the areas of hygiene, drinking water or schools. That situation had a negative impact on the health of the women and children living there. She wished to know what Israel was doing to improve those communities and whether there were any plans to provide basic services to them, since, if no action was taken, the Palestinians would begin to leave. She enquired whether that was the intent of Israel's policy towards those communities.

49. Ms. GONZALEZ said that the report did not indicate how the costs of prenatal care were determined and if such costs were the same for all social groups in Israel. Table 6 on page 215 of the report provided statistics on

infant deaths by population group and cause, and she noted that infant mortality among "Arabs and Others" was almost twice as high as infant mortality among Jews. She enquired whether the Government of Israel was carrying out any programme with a view to lowering the high mortality rate of non-Jewish infants. In that regard, she requested a detailed breakdown of all the groups falling under the category "Arabs and Others".

50. With regard to procreation and family planning, she wished to know why contraceptives were not provided free of charge, and why there were no sex education programmes for the population of Israel, both Jews and non-Jews. The report referred to hysterectomies as a form of sterilization, and she wished to know whether there were any plans to introduce methods to control male fertility. She requested statistical information on the number of vasectomies performed in Israel; if vasectomies were not promoted as a means of sterilization, that would be a form of discrimination against women, since it was unfair to promote sterilization only among women.

51. According to the report, abortion was legal when authorized by the Committee for Approval of Termination of Pregnancies in accordance with sections 312 to 321 of the Penal Code. She noted that a legal abortion could be obtained when the pregnancy was a result of sexual relations forbidden by the Israeli Penal Code or the result of incestuous or extramarital relations, and she wished to know what those forbidden sexual relations were. She had noted the high number of illegal abortions, and the acknowledgement that many immigrant women were relatively uninformed about birth control and were accustomed to receiving abortions on demand. Abortion should never be considered a form of birth control, and she referred to the provisions of the Plan of Action of the International Conference on Population and Development held in Cairo in 1994. If birth control was the reason given by a woman seeking an abortion, then something was missing in family planning programmes. Emphasis should be placed on avoiding pregnancy through the use of contraceptives and other means.

52. Ms. JAVATE DE DIOS said that all communities in Israel should have access to health services, including reproductive health services, and she expressed concern that Palestinian communities rarely received such services. Given the high life expectancy of women in Israel, she wished to know how the needs of elderly women were addressed. Elderly Palestinian women, many of whom were very poor, were faced with the prospect of increasing hardships: no housing, no sanitation and no pension. In view of the high level of violence against women, the Government of Israel should provide adequate funding for women's crisis centres. She welcomed the recent decision of a parliamentary committee to include the question of violence against women in Israel's medical board examination, and she suggested that training on the issue of violence against women should be provided to medical personnel.

Article 14

53. Ms. OUEDRAOGO requested information on the problems experienced by rural women. The social and economic situation of Bedouin women left a great deal to be desired, and she wished to know why there had not been much progress in the social education of Bedouin women. It was necessary to adopt policies and strategies to improve the situation of Bedouin women and encourage them to

abandon some of their traditional practices. She wondered whether Israel's failure to address the problem reflected a lack of political will. She enquired whether any studies had been conducted to determine whether women who lived in kibbutzim did so because they had no other opportunities or because they liked living there. She expressed concern that women in kibbutzim were not able to rear their own children.

Article 16

54. Ms. BERNARD expressed concern at the plight of Palestinian women in the State of Israel, and she supported Ms. Abaka's plea for peace. Jewish and Palestinian women should join forces to promote the peace process. She expressed concern at Israel's reservations to article 16 of the Convention, since any reservation to the Convention tended to water down its full effect. She hoped that Israel would consider withdrawing that reservation. She commended the provisions of the 1951 Women's Equal Rights Law and was pleased to learn that the Supreme Court's case law had removed the issue of property distribution from the rule of religious law and that that subject was governed by civil-secular law alone. She also commended the 1973 Spouses (Property Relations) Law, which applied to both married couples and non-marital cohabitants. She had read that a new system of family courts had been operating as a replacement for the district and local courts, and she requested confirmation of that information. She wished to know what the relation was between the family courts and the religious courts, and whether all women had access to family courts.

55. Ms. AOUIJ said that, according to the report, all questions of personal status - marriage, divorce, alimony, child maintenance - fell within the exclusive competence of the religious courts, and there were almost no civil marriages or divorces. Testimony by a woman was not accepted before a religious court except when she reported the disappearance of her husband. Widows and divorced women did not have the right to marry a man of the Jewish religion, and a childless widow required the permission of her brother-in-law to remarry. Women were always subordinate to their husbands, who could have extramarital relationships when the wife refused to grant a divorce. A husband who refused to grant a divorce could be forced to do so by the courts, and could even be put in prison for six months if he refused. While a new law had been passed in 1995 with a view to reducing the number of abandoned women, it had not been effectively enforced.

56. Polygamy was still common among the Arab population and the status of Arab and Palestinian women was inferior to that of men. In that regard, Arabs and Palestinians had put forward a bill that had been sponsored by Arab and Israeli parliamentarians. The bill would soon come before the Knesset, and she wished to know the Knesset's position on the issue, since the objective of the bill was to give Arab and Palestinian women the choice of appealing to religious or civil courts in order to assert their rights.

The meeting rose at 5.50 p.m.